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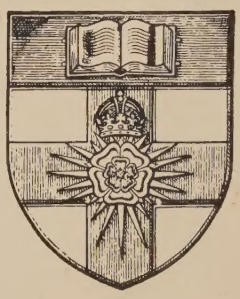

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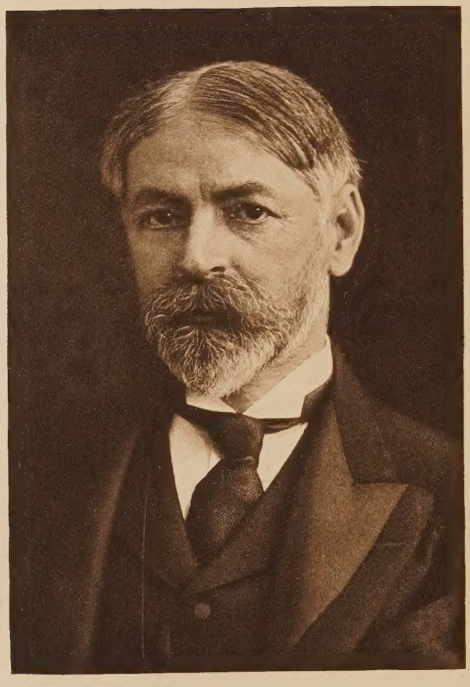

Mitchell Donald

Massachusetts Historical Society

Founded 1791

PROCEEDINGS

OCTOBER, 1910—JUNE, 1911

VOLUME XLIV

Published at the Charge of the Peabody Fund

Boston
PUBLISHED BY THE SOCIETY
MDCCCCXI

University Press:
John Wilson and Son, Cambridge.

14593

INSTITUTE OF HISTORICAL RESEARCH

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July, 1910 — June, 1911.

Resident.

1865, Josiah Phillips Quincy	Oct.	31, 1910.
1880, Thomas Wentworth Higginson	May	9, 1911.
1895, Morton Dexter	Oct.	29, 1910.
1896, Francis Cabot Lowell	March	6, 1911.
1900, James Frothingham Hunnewell	Nov.	11, 1911.
1901, Samuel Lothrop Thorndike	June	18, 1911.
1905, John Lathrop	August	24, 1910.

PROCEEDINGS

OF THE

MASSACHUSETTS HISTORICAL SOCIETY.

OCTOBER MEETING

BY invitation of Colonel RAND the members of the Society assembled, as his guests, at one o'clock, the 13th instant, at the Algonquin Club, where a luncheon was served; after which they were conveyed in carriages to the Cadets' Armory, Columbus Avenue, and were taken to the library of the Massachusetts Commandery of the Loyal Legion. After an hour spent in inspecting the fine library and the very interesting collection of war relics, some of the more important of which were described by Colonel RAND, the members repaired to the rooms of the Military Historical Society, where the monthly meeting was held, the President, CHARLES FRANCIS ADAMS, in the chair.

The record of the June meeting was read and approved, and the Librarian reported the list of donors to the Library during the summer months.

Dr. GREEN mentioned among the more interesting accessions to the Library since the last meeting a copy of the work entitled "The Life of Washington in the form of an Autobiography" (Boston, 1840), in two volumes by the Rev. Charles W. Upham, a former member of this Society. He then said:

More than fifty years ago I bought a similar copy from a dealer when I was told that, owing to some litigation in regard to the copyright, the edition was suppressed, and that only three specimens were issued. Dr. Thomas H. Webb, the junior member of the publishing firm, and also a member of this Society, told me, however, that a few copies got out

surreptitiously, certainly more than three. Dr. Webb died on August 2, 1866.

The publication of the work was considered an infringement of the copyright of his writings of Washington held by Mr. Sparks and published a short time before; and the author and publishers were restrained by injunction from making it public. The electrotype plates, however, had been cast, and a few impressions struck off without the knowledge of Mr. Upham, — and afterward sent to England, where an edition of the work was brought out. Once I showed my copy to him, and on seeing it he expressed great astonishment, as he was then unaware that any copies had ever been printed here; and at my request he duly recorded the fact on a fly-leaf in one of the volumes, as follows:

> This work was compiled by me. It was never published *by my knowledge*, in this country. It was published in England, *I know not by whom.* I never saw a copy of it, until I procured one by importation from England.
>
> July 22d. 1869. Charles W. Upham.

I gave my copy of the book, which contains this memorandum, to the American Antiquarian Society, at their meeting on October 21, 1902. The Historical Society also has a copy of the London edition printed in 1856.

The Corresponding Secretary reported the acceptance of his election as a Resident Member by Edward Waldo Emerson. He also read a letter from Professor Eduard Meyer accepting his election as an Honorary Member in March, and explaining the delay in transmitting his acceptance.

Curtis Guild, Jr., of Boston, was elected a Resident Member.

The President announced the death of John Lathrop, a Resident Member, and called upon Colonel Rand, who read an appreciation of the life and services of Judge Lathrop. This memoir will be found on page 85.

The President reminded the members of the announcement made at the last meeting that formal notice would be taken at this time of the death of Goldwin Smith, late an Honorary Member of the Society. He called upon Mr. Ford, who read the following paper:

Goldwin Smith's Visit to the United States in 1864.

To the younger generation the name of Goldwin Smith calls up an indefinite figure and reputation. His frequent communications to magazine and newspaper, his wide range of subject and individual manner of treatment, left the impression of a high-class journalist. Politics, morals and literature, whatever he touched upon, gave evidence of a ripe scholarship, a man of controversy, and an ethical note not frequently found in such writing. In politics he was an idealist, "somewhat impatient of political evils," he said of himself, "and anxious for vehement effort and for immediate change." He held the attitude of a man of firm conviction, earnest in purpose, untainted by the restraints of office or party allegiance. Political expediency never appeared to him a justifiable rule of conduct; the moral aspect of a question first occurred to him, dominated his expression of the problem and guided him to a solution. This quality made him an independent, though he called himself a Liberal. In one of his books he speaks of independent thought as "the salt without which all our liberties would lose their savor."[1] A radical he was not, for no one imbued with the true historical spirit is a radical. He knows that, however suddenly outward forms may change, the nature of man changes slowly.

Such a man is peculiarly exasperating to the man of affairs and practical statesman. He is apt to appear unreasonable, critical, insistent on his point of view, and not open to considerations which to the compromising politician offer the simplest, and therefore the most acceptable, solution of a troublesome problem in statecraft. "Principles," said Smith, "are worth incomparably more than any possible benefits of any one man's rule."[2] Such a maxim would destroy the trade of the politician. Smith and his like never asked the question, What must we do to obtain votes? But they sought the moral issue, grasped it, and then appealed to the reason of others. To them a defeat was often a moral victory. He never had a following, but his opinions, sneered at when uttered, won respect or astonishment later, when events had proved the truth or the weakness. Troublesome he always was. To get rid of Canada, or cede

[1] *The Empire*, v. [2] *Three English Statesmen*, 112.

Gibraltar, to reduce the Empire by cutting off unprofitable dependencies — such were his earlier suggestions. And this atmosphere of opposition to current opinion remained to the end, for he was charged with disloyalty in the Boer War. It was this quality that brought him the fling from Disraeli, who described him as "that itinerant spouter of stale sedition." [1]

His autobiography is about to be published, and in that may be learned his own measurement of his life's work. I wish only to speak of one incident of his career, one of the many reasons why he occupied his high position in the respect and affection of the United States.

At the outbreak of the Civil War opinion in England was as widely divided as in the United States. By rights English opinion should have sided with the North. For many years the South, and the national government was southern, had exhausted the vocabulary of abuse in denouncing England and British statesmen. Great Britain stood for abolition of slavery; the South regarded her as the great leader in abolition, and consequently as a deadly enemy.[2] But the current of opinion did not run so consistently, and when the division came, the friends of the North in England constituted an important, though not powerful element. The aristocracy and landed gentry hated and feared America, for the success of a democracy implied a danger to them. Lancashire depended upon slave-products, and the interests of merchants and manufacturers are not controlled by moral considerations. The workingmen and the lower middle class sided with the North, but they were, for the most part, mute and without suffrage. As to the government, that was professedly neutral for the time. The safest man in the cabinet, one who possessed the confidence of all, — Sir George Cornewall Lewis, — a man who in a dozen years had risen in office and public estimation more rapidly than Palmerston did in twenty-five years, wrote in March, 1861: "I have never been able, either in conversation or by reading,

[1] Reid, *Cabinet Portraits*, 11.

[2] "As Great Britain was now [1854] leading a crusade against slavery she became the object of diplomatic enmity to the slave-owners who were in power at Washington and whose discourtesies, set down to the account of the whole American nation, had a bad effect upon British opinion at a later day." — *The United States*, 215. See also *Letters of John Stuart Mill*, 1. 280.

to obtain an answer to the question, What will the North do if they beat the South? To restore the old Union would be an absurdity. What other state of things does that village lawyer Lincoln contemplate as the fruit of victory? It seems to me that the men now in power at Washington are much such persons as in this country get possession of a disreputable joint-stock company. There is almost the same amount of ability and honesty."[1]

Sir George was right in his confusion. The village lawyer Lincoln at first confused the real issue to the outsider. Ignorance, rather than ill-will, made the majority of the English people go wrong about the war. They were told that slavery was not the ground, scarcely the pretext, of the war. They were told the North was fighting for Empire, the South for independence. They were told that the South was for free trade, and that meant prosperity for English interests. Ignorance or half knowledge, whether in prime minister, editor, or workingman, meant that each would feed upon what best suited his wishes or prejudices. Some of those who could have led, proved blind. Carlyle threw away the chance of a lifetime in a squib absurdly called the *Ilias Americana*.[2] Kingsley for social comfort bartered away his opportunity. Fortunately others, sounder thinkers and more earnest in principle, came forward to enlighten the public — Mill, Cairnes, Dicey and Harriet Martineau. Even the industrial interests gave Bright, Cobden and Potter. Goldwin Smith, then professor of modern history in Oxford, was among these "intellectuals" who wrote to aid the North.

Their task was not a simple one, and was made the more difficult by the utterances of Congress and of President Lincoln.[3] Smith said in 1864:

[1] Bagehot, *Biographical Studies*, 332.

[2] Smith wrote: "as an historical painter and a humourist Carlyle has scarcely an equal."

[3] Lincoln "necessarily renounced his claim to the sympathy of foreign nations, especially of England, who could not be expected to regard the invasion of the South by the North as a crusade against slavery when the President declared it was nothing of the kind. The Southern Confederacy was avowedly founded with slavery as its corner-stone. It was therefore under the ban of humanity. This was the reason for desiring its fall, whatever might be the motives of its assailant. For the unity and aggrandizement of the American Republic many men in England and other nations cared, because they looked with hope to the great experi-

I was not even among the first to perceive claims of your cause upon our sympathies, though from the time when it came clear out of the mists which at first surrounded it, as the cause not only of your territorial greatness but of humanity and civilization, and brought out the nobler part of the national character, which to the eye of distant spectators had been at first obscured, it has received the deep and unwavering allegiance of my heart.[1]

Conviction came slowly, for when the news of the battle of Bull Run reached England he thought the character of the nation had completely broken down. "I believed as fully as any one, that the task which you had undertaken was hopeless, and that you were rushing on your ruin. I dreaded the effect on your Constitution, fearing, as others did, that civil war would bring you to anarchy, and anarchy to military despotism. All historical precedents conspired to lead me to this belief. I did not know — for there was no example to teach me — the power of a really united people, the adamantine strength of institutions which were truly free." [2]

From that time Smith wrote in behalf of the North, winning notice from his equals,[3] and abuse from his opponents. When the situation in England had become tense over the fitting out of iron-clads known to be for the Confederacy, and opinion seemed to be turning against the North, a meeting was held at

ment of American democracy; but nobody was morally bound to care. The South had been politic enough to pay homage to the opinion of the world, especially of the British people, and perhaps, at the same time, to propitiate the slave-breeding State, by inserting into its constitution a renunciation of the African slave trade, though it was pretty certain that had the slave power triumphed this article would have had little effect." — *The United States*, 252.

[1] Remarks at Union League Club, New York, November 12, 1864. Writing in 1902, he thus spoke of his feeling at the time:

"Leaders of English literature [like Kingsley and Carlyle] having mostly gone with their class to the side of the South, my pen was in requisition on the other side. Though heartily opposed to slavery, I rather held back on two grounds. In the first place, I felt that it was not our business, and that I had no right to be blowing the coals of civil war in a foreign nation. In the second place, I could not feel sure that the reincorporation of the slave states, if it was practicable, was to be desired. My first ground of hesitation vanished when Southern envoys sought to draw England into the fray. My second was swept away at the time by the progress of the war and the growing manifestation of its character as a conflict between freedom and the slave power, though I must own that the misgiving has since recurred." — *Atlantic Monthly*, LXXXIX. 303.

[2] *Atlantic Monthly*, XIV. 758.

[3] *Letters of John Stuart Mill*, I. 277.

Manchester, April 6, 1863, to protest against the building and equipping of "piratical ships, in support of the Southern Slaveholders' Confederacy."[1] Four speakers addressed the meeting, Goldwin Smith, Samuel Pope, Professor F. W. Newman and George Thompson, described by the organ of the Confederacy in Great Britain as "all notorious in their way as advocates of ideas which the English nation regards with abhorrence, and which most sane men and all sober statesmen treat with profound contempt."[2] The meeting was timely, but the American minister, recently as he had doubted a successful issue to his endeavors to secure the detention of the vessels, had really won his point, and the *Alexandra* was stopped on the day before the Manchester meeting.

In the fall of 1864 Smith determined to visit the United States, and for a characteristic reason. "I came here to see whether the progress of humanity, which I had learned to trace through all the ages, and believed to be perpetual, had been arrested here. I shall return convinced that it has not been arrested."[3] Incidentally he was to witness a presidential election, and determine the truth of certain assertions current in England on the military situation. He landed in New York on September 5, and remained in this country till late in December.

His visit to the United States was well timed, for a presidential election was at hand; and as the election of Lincoln had precipitated the conflict, his defeat and the alleged exhaustion of the country might lead to an end of the struggle — perhaps favorable to the South. He went to the West, and in October broke silence with a letter to the *Daily News* (London).[4] That visit was conclusive, and placed him in a position to reply to the assertions of those who saw victory in arms or in politics for the South. "That the war is national, not carried on by the government alone, nobody who has been in the country a day can doubt. . . . I have not heard a single sentiment of atrocity or even of hatred, uttered against the South. But I have heard on all sides the expression of a resolute determination to make

[1] The call for the meeting is reproduced in Rhodes, *History*, IV. 370.

[2] *The Index*, London, April 9, 1863.

[3] Remarks at Union League Club, New York, November 12, 1864.

[4] Printed, October 18, 1864. I have found only five signed communications from him in the columns of that paper in the last quarter of this year.

the South submit to the law. And this determination I believe rules the people." He was "confirmed in his belief" that the prisoners were treated by the North with great humanity. He saw no restiveness under the burden of taxation, no signs of diminished prosperity except the empty docks of New York, which told the tale of the *Alabama*. Agricultural prosperity was real. The Chicago convention was pacific and secessionist, it is true, but McClellan had "kicked over" the platform. The Democrats were for continuing the war, but they differed from the Republicans on the question of slavery. He sums up his opinion tersely and dogmatically:

> I have been in the States only a month, and perhaps I am not an unbiassed observer, but my strong conviction is, that beneath the frothy surface of party politics (never very august in any country) and the shoddy luxury of New York lies a great nation meeting the extremity of peril with courage, self-devotion, passionate attachment to its country and unshaken confidence in its own power. I am no judge of military matters, but at present it seems as though the insults and slanders which have been passed on the Americans from the aristocratic and reactionary press of Europe were about to be answered by victory.[1]

He witnessed the Presidential election in Boston, and I give his account of it in full.

> A day which, if I mistake not, will be long memorable in history, has passed, and the American people have decided by a great majority that free institutions are not a failure, and that the hope of self-government shall not be quenched for themselves or for the world.
>
> Under the abused name of the "Democratic" party all the enemies of the republic — the Southern planter, the social aristocrat of the North, and the Irish of the great cities — strangely, or rather naturally, leagued with tyranny against freedom — have made a combined effort to subvert the object of their common hatred in its hour of peril; and they have received a disastrous, perhaps a final, overthrow.
>
> In this city, notwithstanding the greatness of the issue and the fierce excitement of parties, the election has gone off with perfect

[1] *London Daily News*, October 18, 1864.

tranquillity. In the lowest wards the crowd at the polls was almost as orderly as a crowd going into church. A few jokes and jibes were the only signs of a party conflict.

I have looked in vain for the evidences of a tyranny of the majority. The orators and journals of both parties have spoken their sentiments with the utmost freedom. The banners of both parties have hung unmolested across the public streets; the processions of both parties have moved unmolested round all parts of the city. Nor could I perceive that social divisions were carried to an extreme. I have seen through the contest leading men of the opposite parties in friendly intercourse with each other.

I can scarcely conceive a nation in the midst of a great political struggle more temperate, more orderly, more respectful of each other's rights, more observant of the law.

In a country town to which I went in the afternoon the aspect of things was the same as in the city, and there I saw negroes taking part in a town meeting, apparently on a perfect equality with the whites. In the city I saw the negroes going up in the line of voters to the polls mingled with the first men in the place.

By the defeat of the democratic party England as well as America has escaped a great danger. The concessions which the Democrats were prepared to make to the slave owners they would certainly have had to balance by a "spirited foreign policy," of which England would have been the object. This party, as you know, are inveterately hostile to us. They rest on the slave owners and the Irish, both of them our mortal enemies — and the only enemies that, but for the reckless malignity of our aristocratic press, we should have in this nation.

The best blood of this city is in the war. Almost every family one hears of has paid the tribute of a life. There are no doubt very mixed elements in the army; but, on the whole, I do not believe that any country has ever received a more costly freewill offering of the blood of its children.

The tone of society, so far from being indecently gay, is subdued, and great parties are thought not in good taste. This fact has come distinctly under my notice.

The more intercourse I have with these people the more convinced I am that they have in them the love of their community and the devotion to their cause, which, after all their calamities and errors, will bring them out victorious, to the confusion of their enemies and ours.

Boston, Nov. 9.[1]

[1] Printed in the *London Daily News*, November 24, 1864.

As he states in his opening chapter of his "Autobiography" he visited the army before Richmond. His immediate impression of General Butler is not without interest:

I saw, with the greatest interest, the negro troops encamped close to the scene of one of their most gallant exploits — the storming of the entrenchment on Newmarket Height. There can be no doubt, I think, that these men are now the acknowledged and respected brethren in arms of the whites. This, to give the Beast as well as the Devil his due, is the work of General Butler. That man's indomitable energy and iron will (qualities written on his face more plainly than on any other face I ever beheld, unless it be the portraits of Cromwell) have crushed all the obstacles that stood in the way of this great moral and social revolution. *Ferro iis libertas proveniet* — the bayonet shall be their liberator — is the motto of the medal he has caused to be struck for the negro soldiers;[1] and he has made this motto a practical truth. I will not attempt to anticipate the calm judgment of history in an hour of passion by discussing the controverted parts of his career. To me he seems to be in all points, good and evil, the model of a Revolutionary chief. He was the first thoroughly to grasp the idea of the Revolution being fulfilled by the virtual destruction of Slavery; he is the first, as you see by his New York speech, to announce in broad terms a policy of amnesty and oblivion. Like Danton he has "walked straight on his wild way," fearless of danger, and somewhat reckless of opinion. I do not worship Revolutionary characters. I hate the element from which they spring, as I love the calm progress of regular improvement.[2] But a Revolution has come, and I suspect that in its melancholy annals Butler will occupy a broader and perhaps a less odious page than is commonly supposed.[3]

The sinking of the *Florida*,[4] by which he feared "American

[1] *Proceedings*, XLIII. 466.

[2] "Let us never glorify revolution. Statesmanship is the art of avoiding it, and of making progress at once continuous and calm. Revolutions are not only full of all that a good citizen and a good Christian hates while they last, but they leave a long train of bitterness behind. The energy and the exaltation of character which they call forth are paid for in the lassitude, the depression, the political infidelity which ensue. . . . The chiefest authors of revolutions have been not the chimerical and intemperate friends of progress, but the blind obstructors of progress; those who, in defiance of nature, struggle to avert the inevitable future, to recall the irrevocable past, who chafe to fury by damming up in its course the river which would otherwise flow calmly between its banks, which has ever flowed, and which, do what they will, must flow for ever." — *Three English Statesmen*, I.

[3] *London Daily News*, December 8, 1864.

[4] He was inclined to believe the vessel had been sunk intentionally, but set

honour had suffered a great stain" provoked a characteristic comment:

This is scarcely an auspicious moment to plead for American rights. But I trust it is not true that another vessel has been allowed to sail from an English port to prey upon the commerce of our allies. The Americans are very good natured, they are so much accustomed to vicissitudes of fortune in trade that they easily forget pecuniary losses; and the tone of their feeling towards us has been manifestly softening during the last three months, even in those circles where the ravages of the *Alabama* and her consorts have been most severely felt. But they are made of flesh and blood, and they will not endure the continuance of a wrong. They will take advantage of the first war we are involved in to mete to us the measure which we, as professed neutrals, have meted to them. It is the interest of our shipowners to destroy American shipping that they may get the whole of the carrying trade into their own hands. But the interest of the shipowners does not coincide with the interest of England, much less with the dictates of English honour. The nation has been pronounced unhappy which has women and children for its rulers. But more unhappy is the nation whose rulers have no God in their breast, and who will not face the anger of a few hungry and unscrupulous merchants to guard the public safety, and keep untarnished the character of the country.[1]

That his writings had influence is shown by the abuse they brought upon him from those who favored the South. The clumsy wit of the Philadelphia *Age* made game of his name and mission. "There has been for some months past, floating about in this country, an Englishman named 'Goldwin Smith,' titular or actual professor of something at Oxford. He has always seemed to us a myth, we never, to our recollection, having heard of him till, in the flesh, he came among us. This

this opinion aside as the facts became known. But he severely criticised Sumner for an indiscreet utterance expressing his wish that the *Florida* had been destroyed at Bahia. If, he argued, a Senator of the United States and the chairman of the Senate Committee on Foreign Relations held such language, there need be no astonishment that unfavorable impressions should prevail in less partial quarters. Believing that the *Florida* had been wrongfully taken by the rashness of a subordinate, Smith thought the highest morality and the highest policy alike prescribed her return to Brazil. "It would have been hard, no doubt, but it would have been glorious — all the more glorious if other nations, in similar cases, had behaved as well. The moral effect produced upon the world would have been worth a great victory." — *London Daily News*, December 27, 1864.

[1] *London Daily News*, December 13, 1864.

may be very gross ignorance, but such is the fact. 'Smith' is not an impressive name, yet there have been clever, illustrious, and notorious 'Smiths.' We have all heard of 'Adam Smith,' and 'Sydney Smith,' and 'Bobus Smith,' and 'Madeline Smith.' We have read of a 'Professor Smyth,' but he was of Cambridge, and his name was William. But 'Goldwin of Oxford' had escaped us." And much more to the same purpose. Then, in England, his letters attracted abuse from the writers on the Confederate organ published in London, *The Index*, and especially that describing his meeting with Butler. Admitting that the Yankees had found a zealous and active, if not a valuable ally, in Professor Smith, the critic pursued:

> It may occur to some readers on our side of the Atlantic that "English honour" is just a little compromised in this correspondence — that the fame of the ancient University of Oxford may acquire some slight stain from the contamination of Butler — and that the character of an English gentleman is too sacred a thing to be committed to a representative so regardless of its glorious traditions. The acceptance of hospitality implies the obligation to reciprocate it, and Professor Goldwin Smith commits his University and his countrymen to the kindly reception of the Beast, should he ever prowl upon this island, by consenting to sit down at the feed of the animal. Modern History will hereafter vindicate itself against the perversions of its Professor, but meanwhile the English people will protest strongly against such liberties as he takes with their self-respect.[1]

Nor was this influence confined to England. To the North he also brought a message of import, using every opportunity to give a truer idea of the real condition of public opinion in England. The aristocracy was hostile, and the London *Times* did not represent public opinion. Too great weight was given to the gall of insult poured by that sheet into the American heart in the hour of peril and adversity when feelings were most keen. The antipathy towards America of many could not be concealed, but, Smith held, the governing class, in the only practical and relevant sense, was that which decided the conduct of a nation. The partisans of the slave power in Parliament never ventured on a serious movement in its favor.

[1] *The Index*, December 15, 1864.

My strong impression is that the government never for a moment swerved from its determination to maintain strict neutrality. The overtures of the French Emperor were, I am convinced, decidedly though courteously repelled.[1] The Duke of Argyll was positively friendly to the North. The same might probably be said of Sir George Cornewall Lewis, though he was sure to be cautious in expression. I think I can answer for Cardwell. What Palmerston's personal feelings as an aristocrat and a precursor of jingoism may have been I would not undertake to say; but his hatred of slavery was sincere, and he was deeply committed to the anti-slavery crusade. Lord Russell's manner was certainly not pleasant; it seldom was. He afterwards made the *amende*. But he also was far too deeply committed to the crusade against slavery to take part with the slave power. Gladstone wished that the North should let the South go, and be indemnified in course of time by the voluntary accession of Canada.[2]

Among the organizations formed to counteract the efforts and influence of the Southern party in Great Britain was the Manchester Union and Emancipation Society. In January, 1866, the Society was disbanded, and Goldwin Smith, at its last meeting, read an elaborate paper on the *Civil War in America*.[3] Optimistic in tone he drew some anticipations which subsequent events have disproved; but the address contains the best summary of his beliefs and experiences in America, and a proof of a moral elevation that made him so fit to be a teacher of men as well as of youth.

The PRESIDENT then submitted a paper on

THE CAMPAIGN OF 1777.

It was Polonius who, on an occasion familiar to all, cautioned his son to "beware of entrance to a quarrel"; and, for the benefit of one that way inclined, the caution might well

[1] "Repeated propositions have been made by fanatical supporters of the rebellion, with the French Emperor at their back, for hostile intervention, and upon all these propositions the 'governing class,' in the effective sense of the term, has put an emphatic veto. It did this when your fortunes were at the lowest ebb, and when the combined arms of France and England would certainly have turned the scale in favor of the rebellion." — *Boston Daily Advertiser*, January 26, 1865.

[2] *Atlantic Monthly*, LXXXIX. 307. Mill believed that the British Government, as a Government, had always been better than the public in all that related to the war. *Letters of John Stuart Mill*, I. 301.

[3] It was published by the Society in that year.

have been broadened so as also to include historical investigations and inquiries. For, as respects such, not only are they proverbially provocative of that special and peculiarly acrimonious form of quarrel, known as historical controversy, but any field, no matter with what lightness of heart entered upon, is apt to develop into the boundless. It has so proved with me in the present case.

Chancing to be in London a little over a year ago, I failed to meet Sir George Trevelyan, just then on the point of leaving his North of England country home for the Continent. Long in correspondence on topics connected with his *American Revolution*, I now wished more particularly to see Sir George that I might suggest for his consideration a point of view bearing on our War of Independence, which seemed to me to have hitherto escaped the investigators. As we could not arrange a meeting, I wrote that I would, after I got home, send him a memorandum on the subject I had in mind. This memorandum I a few months later undertook to prepare. As is invariably the case, the topic grew on my hands until finally it assumed the proportions of a treatise in miniature; and, as such, I submitted it as a paper at the May meeting of the Society. Finding a place in our *Proceedings*,[1] in that form it at last reached Sir George Trevelyan.

Beginning thus with what was meant to be a brief inquiry, suggestive only and confessedly superficial, into the cause of Washington's apparent failure to make any effective use of cavalry in the Revolutionary operations, I was incidentally led to notice what seemed to me the somewhat unsatisfactory, not to say radically bad strategy on both sides — British even more than American — which marked the campaign of 1777, — that of Saratoga and about Philadelphia; yet in the so-called "standard" histories — and their name is legion — I found no reference to the subject, much less any explanation of strategic shortcoming, as a feature in the campaign manifestly open to criticism. And thus I found myself step by step drawn into the preparation of a second paper, supplementary to that of last May. This paper, relating to the Defective Strategy of the Revolutionary Campaign of 1777, I now propose to submit.

[1] *Proceedings*, XLIII. 547–588.

In doing so, however, I feel it incumbent to say a few words of a personal and explanatory character. I want, for reasons which as I proceed will become very apparent, to enter a formal *caveat*. Venturing on what for an American historical investigator is notoriously delicate ground, I do not want to have my reason for so doing misunderstood, or unnecessarily to invite hostile criticism. So to speak, I wish to qualify. I neither profess to have made any careful study of our Revolutionary material, nor hold myself forth as an expert in military matters or an authority on strategic problems. As to the Revolutionary campaigns I have read only the accepted narratives thereof; I have felt no call, nor have I had the leisure, to burrow down into what are known as the original sources. As to war and operations in warfare, while a soldier neither by vocation nor training, — indeed distinctly disavowing any natural bent that way, — I only claim to be not without experience therein. Passing nearly four years in active service (1862–1865), I have participated in memorable operations, and been present at some engagements — Antietam, Gettysburg, the Wilderness and Petersburg among others. Having been one in a column on the march, I have also stood in the line of battle. Among other incidents I well recall the deep breath of relief I, though but a regimental officer, drew when one day in May, 1863, a rumor crept through our camp at Aquia Creek, opposite Fredericksburg, that "Stonewall" Jackson was dead from wounds accidentally inflicted by the weapons of his own followers. "He at least," I thought, "will not again come volleying and yelling around our flank!" Accompanying Sedgwick's corps, and marching fast towards the sound of the cannon, it was given me to halt close behind the line of battle on the evening of the second day at Gettysburg. Later, I accompanied the headquarters of the Army of the Potomac from the Rapidan, through the Wilderness, across the James, to Petersburg. I therefore may claim a certain familiarity with the practical, every-day side of military life and active warfare. Moreover, I have had occasion to observe and even study military movements on the ground and at the time, being personally as well as very immediately interested in their outcome. Having actually seen an energetic enemy roll up a line of battle by an unexpected flank attack, I have waited anx-

iously for tidings of a co-operative movement known to be in process fifty miles away. Having thus myself slept in bivouac, seen armies in battle formation, and heard the sharp zip of the miniés and the bursting of shells as they hurtled through the air, I may claim, while in no way an expert in either strategy or tactics, to be not altogether a "bookish theorick."

One other preliminary. The present paper is meant to be suggestive only. Asserting myself nothing as conclusively shown, my wish and hope are to invite by what I say, perhaps to provoke, a more thorough investigation by others of recognized competency. To use the words of the late Sir Leslie Stephen when entering on the discussion of a subject of quite another sort: "The topic [with which I am about to deal is old and has been carefully investigated and much discussed]; and it would be presumptuous in me to speak dogmatically. I wish, however, to suggest certain considerations which may perhaps be worth taking into account; and, as I must speak briefly, I must not attempt to supply all the necessary qualifications. I can only attempt to indicate what seems to me to be the correct point of view, and apologize if I appear to speak too dogmatically, simply because I cannot waste time by expressions of diffidence, by reference to probable criticisms, or even by a full statement of my own reasons." [1]

Carefully premising all this, I now proceed to the subject in hand. In our great Civil War the thing known as "Strategy" was first and last much, and not always over-wisely, discussed; the most popular definition of the term, and the one generally accepted among the more practically experienced, being that attributed to the Confederate leader, Nathan B. Forrest. A somewhat uncouth Tennessean, taught, like Cromwell, in the school of practical warfare and actual fighting, General Forrest is reported to have remarked that, so far as his observation went, the essence of all successful strategy was simply "to get there fust, with most men." With all due respect, however, to General Forrest, — unquestionably a born soldier of high grade, — while his may be accepted as a definition so far as it goes, it hardly covers the whole ground. The getting "there" first with most men is all right; but using this expression

[1] *Social Rights and Duties* (1896), I. 91–92.

the word "there" implies also another word, "Where?" Put in a different way, there is a key to about every military situation; but that key has to be both found and properly made use of. When found and properly utilized, there is apt to result what in chess is known as a check, or, possibly, a checkmate. Strategy, therefore, is nothing more nor less than the art of playing, more or less skilfully, a complicated game of chess with a considerable, not seldom with a vast, area of broken country as its board, on which geographic points, cities and armies are the Kings, Queens and Castles, while smaller commands and individual men serve as Pawns. In the present case, therefore, — that of the Revolutionary campaign of 1777, — as in every similar case, it is essential to any correct understanding of the game and its progress to describe the board, and to arrange the pieces in antagonism upon it.

The board of 1777 was extensive; but, for present purposes, both simple and familiar. It calls for no map to render it visually comprehensible. With the Canada boundary and Lake Champlain for a limit to the north, it extends to Chesapeake Bay on the south, — a distance of approximately four hundred and fifty miles. Bordering on the ocean, this region was almost everywhere vulnerable by water, while its interior depth at no point exceeded two hundred and fifty miles, and for all practical purposes was limited to one hundred miles; Oswego, on Lake Ontario, being the farthest point from New York (250 miles) on the northwest, and Reading the farthest point westward (100 miles) from the Jersey coast. Practically New York City was at the strategic centre, — that is, where movement was concerned, it was about equidistant from Albany and Fort Edward at one extreme, and from the capes of the Delaware and the head-waters of Chesapeake Bay on the other. In either sphere and in both directions the means of communication and of subsistence were equally good, or equally inadequate or insufficient. Philadelphia, the obvious but unessential military objective at the South, was practically one hundred miles from New York; while Albany, the equally obvious but far more important military objective at the North, was one hundred and fifty miles from it. The average day's march of an army is fifteen miles; by a forced march thirty miles or more can be covered. From New York as a strategic starting-point,

Albany was therefore a ten days' march distant, while Philadelphia was three less, or a march of seven days.

Such being the board on which the game of war was to be played, it remains to locate the pieces as they stood upon it. June was that year well advanced before active operations were begun. After the brilliant and redeeming Trenton-Princeton stroke with which Washington, in the Christmas week of that year, brought the 1776 campaign to a close, Sir William Howe had drawn the British invading forces together within the Manhattan lines, and there, comfortably established in winter-quarters, had awaited the coming of spring and the arrival of reinforcements and supplies from England. Washington had placed himself in a strong defensive position at Morristown, there holding together as best he could the remnants of an army. Nearly due west of the town of New York, and about twenty-five miles from the Jersey shore of the Hudson, Morristown was a good strategic point from which to operate in any direction, whether towards Peekskill, — the gateway to the Hudson Highlands on the road to Albany, fifty miles away, — or towards Trenton, forty miles off in the direction of Philadelphia. When, therefore, Sir William Howe, moving with that inexplicable and unsoldierly deliberation always characteristic of him, began at last to bestir himself, the situation was simple. Washington's army, some seven thousand strong, but being rapidly increased by the arrival of fresh levies, was at Morristown, waiting for Howe to disclose a plan of operations; General Israel Putnam, quite incompetent and with only a nominal force under his command, made a pretence of holding the Hudson Highlands, the stronghold of the Patriots, in which they had stored their supplies, "muskets, cannon, ammunition, provisions and military tools and equipments of all kinds." [1]

[1] Fisher, *Struggle for American Independence*, II. 101. In the present paper this work is used as the standard and for recurring reference because of its detailed and systematic citations. In the preface to his narrative (p. x) Mr. Fisher takes occasion to lament the "great mistake" made by the historians of our Revolution "in abandoning the good, old-fashioned plan of referring to the original evidence by foot-note citations." No pretence at all is made of original or deep research in the preparation of this paper; but a perusal of the, so-called, standard histories has not in all cases tended to inspire confidence in either the technical knowledge or unbiassed temper of those responsible for them. Indefatigable as investigators, they reach conclusions not unseldom open on their face to grave question, and yet fail to indicate systematically the sources of their information

Farther north, General St. Clair, with some thirty-five hundred men, all told, occupied the defences of Ticonderoga at the foot of Lake George, a strategic outpost erroneously supposed to be well-nigh impregnable, and hence utilized as a sort of arsenal and supply-depot; in point of fact, however, it was, in face of any skilfully directed attack, wholly untenable. Here, accordingly, had been collected a great number of cannon — some one hundred and twenty pieces — and a large amount of ammunition together with a quantity of beef and flour.[1] Elsewhere the Patriots had nothing with which the British commanders would be compelled to reckon. Opposed to this half-organized, poorly armed, unclad and scattered muster-field gathering, numbering perhaps an aggregate of fifteen thousand, insufficiently supplied with artillery and with no mounted auxiliary force, the British arrayed two distinct armies counting, together, thirty-three thousand effectives; eight thousand under General Burgoyne in Canada, and twenty-five thousand under Sir William Howe in and about New York. Perfectly organized and equipped, well disciplined and supplied, they had a sufficient artillery contingent, though few cavalry; and what of mounted force they mustered was ill adapted to American conditions. The British control of the sea was undisputed, but ineffective as respects blockade.

Thus, making full allowance for every conceivable drawback on the part of the British, and conceding every possible advantage to the Patriots, the outlook for the latter was, in the early summer of 1777, ominous in the extreme. To leave their opponents even a chance of winning, it was plain that the British commanders would have to play their game very badly. And they did just that! Displaying, whether on land or water, an almost inconceivable incompetence, they lost the game, even though their opponents, beside failing to take advantage of

or the evidence from which judgment was formed. Mr. Fisher's work is not open to this criticism. Continued reference is therefore here made to it as the readiest indication of original authorities, documentary material, and contemporary evidence generally.

[1] Fisher, II. 64. Writing after the news of the capture of the place by Burgoyne had reached him, but prior to the holding of a court of inquiry, General Greene thus expressed himself in a letter dated August 11, at the Cross-roads near Philadelphia: "if it was necessary to evacuate [Ticonderoga], why had it not been done earlier. If the stores and garrison had been saved, the loss of the place had been inconsiderable." — Greene, *Life of Greene*, I. 432.

their blunders, both fundamental and frequent, committed almost equal blunders of their own.

What has in recent years come to be known as the General Staff was then as yet undreamed of as part of a military organization; but, viewed from a modern General-Staff standpoint, the contrast of what actually was done on either and each side in that campaign with what it is obvious should have been done, affords a study of no small historical interest. Such a contrast is also one now very easy to make, for not only is hind-sight, so called, proverbially wiser and more penetrating than fore-sight, but a century's perspective lends to events and situations a proper relative proportion. That becomes clear which was at the time obscure. For instance, the merest tyro in the study of the conditions on which great military movements depend can now point out with precision and confidence the errors of policy and strategy for which Napoleon was responsible in 1812 and 1813, and which lured him to destruction. What is obvious in the case of Napoleon less than forty years later is, of course, even more obvious in the case of Sir William Howe and General Washington in 1777.

Coming then to the point now at issue, the military policy and line of strategic action Howe would have pursued had he, in May, 1777, firmly grasped the situation and risen to an equality with it, are now so manifest as to be hardly open to discussion; they need but to be set forth. Having a complete naval and a great military superiority, he would have sought to open from his base at New York, and securely hold, a connection with Montreal and Canada by way of the Hudson and Lake Champlain, thus severing his enemy's territory and, in great degree, paralyzing his military action. The means at disposal with which to accomplish this result were ample, — Howe's own army, twenty-five thousand strong at New York, operating on the easy line of the Hudson, in full co-operation with the fleet could easily open the route, and insure the invading column constant and ample supplies. In close contact with an open and navigable river, there need be no fear of a repetition of the tactics of Concord and Lexington. Beyond any question, Sir William, leaning on Lord Howe's arm as he advanced on this line, would be able to connect with the army of Burgoyne, eight thousand strong, moving down from Mon-

treal. His single other military objective would then be the Patriot army under Washington, in every respect inferior to the force at Howe's own disposal; and this army it would be his aim to bring to the issue of pitched battle on almost any terms, with a view to its total destruction or dispersal. If he succeeded in so doing, the struggle would be ended, he holding the dividing strategic line of the Hudson; if, however, he failed to get at and destroy Washington's army, he would still hold the line of the Hudson, and the navy under Lord Howe then seizing for permanent occupation some controlling point on Chesapeake Bay, the brothers Howe could securely depend on the blockade [1] and the gradual securing of other strategic points to bring to their opponent sure death through inanition, — or, in the language of General Charles Lee in the "Plan" of operations prepared by him during his New York captivity, and then submitted to Howe, would "unhinge and dissolve the whole system of [Patriot] defence." [2] Such a policy and strategy, at once aggressive and passive, was not only safe but obvious. Secure in control of the sea, Howe had but to divide his opponent's territory, and then destroy his army or starve it out.

The policy and strategy to be adopted and pursued by the Patriots were, on the other hand, hardly less plain. With no foothold at all on the sea, except through a sort of maritime,

[1] The crushing influence of an effective blockade on the revolted Provinces, and the inexplicable failure of Admiral Lord Howe to establish or maintain such a blockade were at the time very forcibly set forth and dwelt upon by the Philadelphia renegade and exiled loyalist, Joseph Galloway, in his pamphlet entitled "A Letter to the Right Honorable Lord Viscount H—e, on His Naval Conduct in the American War," London, 1779. Galloway shows that the naval force put at Lord Howe's disposal was more than ample for an effective blockade; that to establish and maintain such a blockade was wholly practicable; and, finally, that had one been thus established and maintained "the whole commerce of the revolted Colonies must have ceased. Their army and navy must have been ruined, from the utter impracticability of procuring for them the necessary provisions, clothing and supplies. Their produce must have perished on their hands." Salt, for instance, was almost wholly imported. In Philadelphia "this commodity, which before the rebellion was commonly bought for 15 to 20 pence now (1776–77) sold from £15 to £20 in currency of the same value." To the same effect, "Salt, four dollars per bushel (hard money); butter, one dollar per pound; sugar 1 s. 6 d. per pound, or six dollars Continental money; beef, very poor, from 1 s. 6 d. to 2 s. 6 d. per pound; flour not to be purchased." — Reed, *Life and Correspondence of Joseph Reed*, I. 331.

[2] N. Y. Hist. Soc., *Lee Papers*, IV. 408.

letter-of-marque militia, on land they were hopelessly outclassed, — outclassed in numbers, in organization, in weapons, in discipline and in every form and description of equipment. They had three things only in their favor: (1) space, (2) time and (3) interior lines of communication, implying mobility. In any pitched battle they would necessarily take the chances heavily against themselves. Their manifest policy was, therefore, to fight only in positions of their own choosing and with every advantage on their side, striking as opportunity offered with their whole concentrated strength on an enemy necessarily more or less detached, and his detachments beyond supporting distance of each other. Put in simpler form, and drawing examples from actual experience, Bunker Hill, Lexington and Concord pointed the way so far as policy and positions were concerned, and Princeton and Trenton perfectly illustrated the system of harassing and destroying segregated detachments. On the other hand, the bitter lessons received on Long Island and in and about Manhattan in 1776 should have taught the Patriot leaders that, face to face in ordered battle, their half-equipped, undisciplined levies, when opposed to the European mercenaries, stood just about the chance of a rustic plough-boy if pitted in a twelve-foot ring against a trained prize-fighter. It would be a simple challenging of defeat.

Such, as is now apparent, being the manifest and indisputable conditions under which each party moved, and must win or lose the game or in it hold its own, it is not, I think, passing a too sweeping criticism to say that every one of these conditions was either ignored or disregarded equally, and on both sides, throughout that momentous campaign. In other words, British or Patriot, it was a campaign of consecutive and sustained blundering. The leisurely fashion in which it was opened has already been referred to. Washington, holding together with difficulty what was hardly more than a skeleton organization, remained prudently in his lines at Morristown. There, his army as a military objective was apparently within Howe's grasp all through the months of April and May, — practically at his mercy. It could easily have been manœuvred out of its positions, and dispersed or sent on its wanderings; it continued to hold together only so long as its antagonist

failed to avail himself of his superiority and the situation. Howe, meanwhile, in his usual time-killing way, was perfecting his arrangements in New York; Burgoyne, at Montreal, was similarly engaged. Not until May was well advanced and, what is for that region, some of the best campaigning weather in the whole year was over, did Washington voluntarily emerge from his winter-quarters, and, so to speak, look about to see what his opponent might be up to; for, that he must be up to something, seemed only likely. That opponent had, however, apparently not yet roused himself from his winter's lethargy, and it was not until June was half over that he at last gave signs of active life. Burgoyne at the same time (June 17) moved on his path to Ticonderoga, the first stage in his march to Albany. Now was Howe's opportunity. It dangled before his eyes, plain and unmistakable. Washington's army should have been his objective. Only seven thousand strong, Howe could oppose twenty thousand to it (Fisher, II. 11) either for direct attack or purposes of manœuvre. Washington's army disposed of or held off, Howe, following the dictates of simple common sense, would then have turned his face northwards, and marched, practically unopposed, to Albany by way of Peekskill. Co-operating with the British fleet, Clinton four months later did this, with four thousand men only; capturing on his way "vast supplies of muskets, cannon, ammunition, provisions and military tools and equipments of all kinds which the patriots had stored in their great stronghold," the Hudson Highlands (Fisher, II. 101). Howe thus failed wholly to avail himself of what was obviously the opportunity of a good soldier's lifetime. Both what he did do and what he failed to do were and remain enigmas to both friends and foes. As a strategic operation it resembled nothing so much as the traditional and familiar movement of the unspecified King of France. Howe marched his twice ten thousand men over into New Jersey; and then marched them back again. Well might Stedman afterwards plaintively ask: "Why did he not march round either on the North or South to the rear of that enemy, where he might have been assaulted without any other hazard than such as must, in the common course of war, be unavoidably incurred?"[1] The query to this day remains unanswered; but,

[1] *History of the American War*, I. 288.

certainly, the British commander did not then make any considerable effort to bring matters "to the issue of pitched battle on almost any terms." Severely criticised for his conduct shortly after, Howe simply said: "I did not think it advisable to lose so much time as must have been employed upon that march during the intense heat of the season" (Fisher, II. 12). The march in question could not very well have been made to cover much more than fifty miles; though it might have implied some discomfort from heat and dust. Washington was wholly unable to account for his opponent's proceedings; those who participated in the subsequent midsummer marchings and fightings of our Civil War have been unable to account for them since. Howe's explanation is puerile; at the time the English critics referred to his doings as Howe's "two weeks' fooling in New Jersey."

This military "fooling" over, Howe next evacuated New Jersey altogether, leaving the astonished Washington and his army free to go where they liked and to do what they pleased, quite unmolested; but, instead of turning his face north, and marching up to meet Burgoyne, thus making secure the Hudson line of communication with Canada, the British commander next shipped his army on a mighty fleet of transports, gathered in New York Bay, and, after idly lingering there some precious weeks, sailed away with it into space. The contemporary verdict on these performances was thus expressed by a participant, in language none too strong:

> In the spring and summer it is impossible for the mind of man to conceive the gloom and resentment of the army, on the retreat from the Jerseys, and the shipping them to the southward: nothing but being present and seeing the countenances of the soldiers, could give an impression adequate to the scene; or paint the astonishment and despair that reigned in New York, when it was found that the North River was deserted, and Burgoyne's army abandoned to its fate. All the former opportunities lost through indolence or rejected through design, appeared innocent when compared with this fatal movement. The ruinous and dreadful consequences were instantly foreseen and foretold; and despondence or execration filled every mouth.
>
> Had there been no Canada army to desert or to sacrifice, the

voyage to the southward could only originate from the most profound ignorance or imbecility. [1]

Disappearing from sight on the 24th of July, on the 30th the British armament was reported as being off the entrance of the Delaware River; again vanishing, not until the 21st of August did it at last make its appearance in the Chesapeake. Howe's objective then was apparent. He was moving on Philadelphia, — the town in which the Congress was holding its sittings, — the seat of Government, — the Capital of the provinces in rebellion!

As a move on the strategic chess-board this further proceeding on the part of Sir William was at the time incomprehensible; nor has it since been accounted for. Had he marched to Philadelphia overland (ninety miles), he would at least have relieved Burgoyne by keeping Washington's entire available force occupied; possibly he might have brought on a pitched battle in which every chance would have been in his favor. He would also have been free at any moment to countermarch north, with or without a battle. Electing to go by sea, when he got into Delaware Bay the Admiral in command of the fleet apparently bethought himself of Sir Peter Parker's dismal experience before Charleston just a year before, and did not like to face on a river water-front the guns of the several forts below the town covering obstructions in the channel; so, instead of landing his army at Wilmington, and proceeding thence to Philadelphia, Howe had recourse to another of those flanking movements to which, after his Bunker Hill frontal experiment, he always showed himself addicted. The front door to Philadelphia being closed, he made for the back door, sailing south around Cape Charles and up Chesapeake Bay to what was known as the Head of Elk, close to Havre de Grace, some fifty miles southwest of Philadelphia; Wilmington being at that time not only wholly unprotected and perfectly accessible, but lying on the Delaware almost exactly half the distance

[1] *View of the Evidence relative to the Conduct of the American War under Sir William Howe*, etc., 152. A copy is in the Mauduit pamphlets, No. 8 in Volume I.

"Sir Henry Clinton, in his manuscript notes to Stedman's *American War*, says, 'I owe it to truth to say there was not, I believe, a man in the army, except Lord Cornwallis and General Grant, who did not reprobate the move to the Southward, and see the necessity of a co-operation with General Burgoyne.'" — Fisher, II. 71.

from Philadelphia to the Head of Elk, and, as every one making a trip from New York to Washington now knows, on the direct road between the two first-mentioned points. By this move, very cunning of its kind, Sir William Howe unquestionably, though in most unaccountable fashion, flanked the defences of his objective point, which now lay at his mercy; but the move had taken him as far away from the line of the Hudson as he could conveniently and comfortably, at that hot season of the year, arrange to get, and had consumed four weeks of precious time. But, with Sir William Howe, time was never of moment! Such a thing is not to be suggested, and, in the case of Sir William Howe, is inconceivable, but had he deliberately and in cold blood designed the ruin of Burgoyne, — as was, indeed, charged by his more hostile critics (*infra*, p. 110), — he would not have done other than he did. He not only took himself off and out of the way, but, by hovering in sight of the mouth of Delaware Bay and then sailing southward, he gave Washington the broadest of hints that he need apprehend no interference on Howe's part with any northward movement the Patriots might see fit to decide upon. Theirs was the chance! The blunder — for disloyalty and treachery, though at the time suspected (Fisher, Chap. IX), are not gravely alleged — the blunder of which the British general had now been guilty was, in short, gross and manifest; so gross and manifest, indeed, that it could only be retrieved by a blunder of equal magnitude on the part of his adversary. This followed in due time; meanwhile, Howe, wholly losing sight of his proper immediate objective, — Washington's army, — had moved away from the sphere of vital operations, — the severance of New England from New York and the Middle States, — and made himself and the force under him practically negligible quantities for the time being. Off the board, he was out of the game.

Even now, any plausible explanation of Howe's course at this time must be looked for in the mental make-up and physical inclinations of the man. Of him and them, as revealed in the record, something will be said later on in this paper. It is sufficient here to observe that if, as held from the beginning of time, it is one of the distinctive traits of a great soldier to detect the failings of an opponent so clearly as to be able immediately to take the utmost advantage of them, Washing-

ton now certainly did not evince a conspicuous possession of that particular trait.

The explanation, at once most plausible as well as charitable, of Howe's performance is that, during the winter of 1776–77, he had conceived an exaggerated and wholly erroneous idea of the importance of the possession of Philadelphia as a moral as well as strategic factor in the struggle the conduct of which had been entrusted to him. There were, indeed, good grounds for believing that a large and influential element in the population of the middle provinces — New Jersey, Pennsylvania and Maryland — were distinctly of loyalist proclivity, and that they only needed countenance and protection to assert themselves (Fisher, II. 54). Doubtless also Howe counted largely on his own personal magnetism and kindliness of temper, as elements of political conciliation. He then, in his military operations, proceeded to discard every sound strategic rule and consideration in favor of moral effect and social influence. He also seems to have looked on Philadelphia as if it had been a Paris or a Berlin or a Vienna; and he recalled the vital importance of those capitals in the wars of Marlborough and Frederick, — the legendary past of the British army. He was accordingly under an obsession; possessed by what was from a strictly military point of view a pure delusion. Thirty-five years later one infinitely greater than Howe suffered in the same way, but with results far more serious. In his work, *How England Saved Europe*, W. H. Fitchett says (IV. 81) of Napoleon's Russian campaign, "Russia, like Spain, to quote Professor Sloane, 'had the strength of low organisms.' Its vitality was not centred in a single organ. It could lose a capital and survive." If this was true of Russia, as Napoleon in 1812 to his cost found, it was yet more true of the American federated States in 1777; for, practically, in Revolutionary warfare Philadelphia in itself, in that respect wholly unlike Albany, was of no more strategic importance than any other considerable town. When, therefore, Howe carried off the bulk and flower of the army of British invasion and set it down in Philadelphia, he made as false a move as was possible in the game assigned him to play.

It then remained for his opponent to avail himself of the great and unlooked-for opportunity thus offered him, — to

call a check in the game, possibly even a checkmate. This Washington wholly failed to do; on the contrary, he actually played his opponent's game for him, redeeming Howe's blunders by the commitment of blunders of his own fortunately less fatal in their effect though scarcely in nature less gross. When Howe, after disappearing with his armament below the sea-line on the 24th of July, reappeared off the mouth of the Delaware on the 30th of the month, and his general objective thus became obvious, the relation to each other, and to the game, of the remaining pieces on the military chess-board would seem to have been plain. No matter where Howe now went, it was settled that he was not going up the Hudson. That made clear, he might go where he pleased. Using a shallow artifice, he tried to induce Washington to think he was going to Boston, thence to make a juncture with Burgoyne. Silly, is the only term to apply to such a weak invention of the enemy.[1] Why go to Boston to march overland to Albany, when the shorter way by the Hudson lay open before him? Had he really proposed so to do, Washington might pleasantly have bade him God-speed, and pointed out that his best route lay through Lexington and Concord, or, possibly, up Bennington way. Under conditions similar to those then confronting Washington, it is not difficult to imagine the nervous energy or "stern contentment" with which Frederick or Wellington, or still more Napoleon with his "tiger spring," would have contemplated the arrangement of the strategic board. The game would have been thrown into their hands. His opponent had hopelessly divided his forces beyond the possibility of effective mutual support, and Washington held the interior line. On which of the three should he pounce? And this question seemed to answer itself. Howe was not only too strong for successful attack, but, for every immediate strategic purpose, he had made of himself a negligible quantity. Placed where he had put himself, or plainly proposed to put himself, he could not greatly affect results. Clinton, at New York, was equally negligible; for, while the force — some six thousand men — left there with him by Howe was not sufficient properly to man the defences, much less to assume a dangerous aggressive, the place was secure under the protection of the British fleet.

[1] Irving, *Washington* (Geoffrey Crayon ed.), III. 164.

There was no victim ripe just yet for sacrifice in that quarter. There remained Burgoyne. He could incontinently be wiped from off the face of the earth, or, to speak more correctly, removed from the chess-board. That done, and done quickly; then — the next!

Extrication by retreat was now no longer possible; Burgoyne was hopelessly entangled. His bridges were burned; he had to get through to Albany, and thence to New York, with destruction as his sole alternative. Six weeks before (June 17) he had set out on his southward movement, four days after Howe had crossed from New York into New Jersey for his "two weeks' fooling." On the 5th of July Burgoyne occupied Ticonderoga; on that day Howe, his "two weeks' fooling" over, was loading his army on the transports anchored in New York Bay, and Washington was observing him in a state of complete and altogether excusable mental bepuzzlement. What move on the board had the man in mind? Clearly, his true move would be up the Hudson; but why load an army — foot, horse and artillery — on ocean transports to sail up the Hudson? The idea was absurd. But, if Albany was not Howe's destination, what other destination had he in mind? At length, July 24, he put to sea, — disappeared in space. In the interval Burgoyne had made his irretrievable mistake. Hitherto his movement had been in every respect most successful. Winning victories, capturing strongholds and supplies, he had swept on, forcing the great northern barrier. He had now the choice of two routes to Albany. He could go by water to the head of Lake George on his way to Fort Edward, capture it and in ten days be in Albany; or he could try to get there by constructing a military road through the woods. He elected the latter, plunging into "a half-wilderness, rough country of creeks, marshes and woodland trails." Beside removing obstructions and repairing old bridges, he had to build forty new; and one of these "was a causeway two miles long across a swamp."[1] To withdraw was now impossible; the victim was nearing the sacrificial spot. He occupied the hastily evacuated Fort Edward on the 30th of July. On that same day "the people living at Cape Henlopen, at the entrance of Delaware Bay, saw the ocean covered with a vast fleet of nearly three

[1] Fisher, II. 65; Trevelyan, Pt. III. 123.

hundred transports and men-of-war" (Fisher, II. 18). It was Howe's armament. He was not bound for Albany! From that moment, strategically and for immediate purposes, he was for Washington as if he did not exist. He might go where he willed to go; he was outside of the present field of vital operation, — clean off the chess-board.

Did Washington see his opportunity, and quickly avail himself of it, Burgoyne was now lost — hopelessly lost. He might indeed get to Albany; but Washington could get there "fust with most men." Washington had now twelve thousand men. A large portion of them were militia, and the militia were notoriously unreliable whether on the march or in battle; as Washington expressed it, under fire they were "afraid of their own shadows"; and so, teaching them how to cover the ground rapidly and well was mere waste of time. They would, of course, have had to be left behind to occupy the attention of the enemy. There would remain probably some eight thousand marching and fighting effectives. Schuyler had forty-four hundred men with him when (July 30) he abandoned Fort Edward, and the militia were pouring in. A month later Gates, who relieved Schuyler in command, had seven thousand (Fisher, II. 89). Here was a force fifteen thousand strong, if once united, and Burgoyne, when he emerged from the wilderness, could muster less than five thousand. It was the opportunity of a lifetime; unfortunately, Washington did not so see it, failed to take full advantage of it. Instead, he had recourse to those half-way measures always in warfare so dangerous.

The possibility of such a move on the part of his adversary had indeed occurred to Howe, and, apparently, to him only; so, just before sailing from New York, he wrote to Burgoyne, congratulating him on his occupation of Ticonderoga (July 5), and added: "Washington is awaiting our motions here, and has detached Sullivan with about twenty-five hundred men, as I learn, to Albany. My intention is for Pennsylvania, where I expect to meet Washington; but if he goes to the northward, contrary to my expectations, and you can keep him at bay, be assured I shall soon be after to relieve you."[1] The letter containing this extraordinary assurance of support did not reach Burgoyne until the middle of September. It lends a

[1] Fiske, *The American Revolution*, I. 308.

touch of the grotesque to the situation. Washington might with perfect ease have effected a junction of his own army with that under Schuyler, and crushed Burgoyne, three weeks before Howe's missive reached him.

That, as Commander-in-Chief, Washington had ample authority to undertake such a diversion without previously consulting Congress or obtaining its consent thereto, did not admit of doubt. The question had already been raised, and it had once for all been settled; "all the American forces were under his command, whether regular troops or volunteers, and he was invested with full powers to act for the good of the service in every part of the country." The conditions were now exactly those prefigured by Charles Lee the year before at Boston, when he said to Washington: "Your situation is such that the salvation of the whole depends on your striking, at certain crises, vigorous strokes, without previously communicating your intention." [1]

When Howe was descried at the mouth of the Delaware (July 30), Washington was still in central New Jersey, in the neighborhood of the Raritan. Clinton, with some six thousand men only, in New York was looking for reinforcements, which did not reach him until October (Fisher, II. 100). Meanwhile he was powerless for aggression. He could be safely disregarded. Albany was only one hundred and fifty miles away; if taken leisurely, a pleasant ten days' summer march. It was a mere question of shoe leather, and in all successful warfare shoes are indeed a prime factor. So much is this the case that when, some thirty-five years later, Wellington, attending to every detail which contributed to the effectiveness of his army, was preparing for that final campaign in the Peninsula which culminated one month later in the complete overthrow of the French under King Joseph, directed and dry-nursed by Marshal Jourdan, at Vittoria, it was prescribed that every British infantry soldier should carry in his knapsack three pairs of shoes, with an extra pair of spare soles and heels (Fitchett, III. 358). Such an ample provision of foot-wear would in the summer of 1777 have probably been beyond the reach of Washington's Quartermaster-General; but, shortly before, shoes sufficient it is said for twenty-five thousand troops had

[1] N. Y. Hist. Soc., *Lee Papers*, IV. 262.

arrived safely at Portsmouth, sent out with other munitions of war by French sympathizers (Fisher, II. 10). New England, moreover, was then a community of cordwainers, and the coarse cowhide foot-wear of the period could, if called for, have hardly failed somehow to be forthcoming. In any event, the march of one hundred and twenty-five miles towards Chesapeake Bay actually made at that time was in degree only less destructive of sole leather than one twenty-five miles longer to Albany. As to the operation from any other point of view, it was exactly the experience and discipline the Patriot army stood most in need of. As every one who has had any experience in actual warfare knows, there is nothing which so contributes to the health, morale and discipline of an army as steady and unopposed marching over long distances. In our own more recent experience Sherman's famous movements through Georgia and the Carolinas afforded convincing illustration of this military truism. Nothing, on the other hand, is so bad for the morale and physical health of a military force, especially one hastily levied, as long hot-weather tarrying in any one locality. For instance, at the very time now under consideration, while Washington was waiting near the Falls of the Schuylkill for Howe's movement to reveal itself, we are told that the sanitary arrangements of the Patriots were "particularly unfortunate," and in the "hot August weather a most horrible stench rose all round their camp" (Fisher, II. 18; Greene, I. 440).

Had Washington, straining on the leash, broken camp and set his columns in motion for Peekskill on the Hudson during the first week in August, by the 20th of a month of easy marches he would have joined Schuyler, and the united armies, fifteen thousand strong, would have been on top of Burgoyne. At that time Gates had not yet assumed command of the Northern Department (Fisher, II. 88). Lincoln and Stark were wrangling; and Schuyler was issuing orders which both refused or neglected to obey (*Ib.*, 80). The battle at Bennington was fought on August 14. Out-flanked, surrounded, crushed by an overwhelming superiority of force, his enemy flushed with victory, Burgoyne's camp everywhere searched day and night by rifle-bullets, while cannon-balls hurtled through the air (Trevelyan, Pt. III. 189–190), a week at most would have

sufficed; the British commander would have had to choose between surrender or destruction. Events would thus have been precipitated seven weeks, and the early days of September might have seen Washington moving south on his interior lines at the head of a united army, flushed with success and full of confidence in itself and its leader. Rich in the spoils of Burgoyne, it would also have been a force well armed and equipped, especially strong in artillery; for, indeed, even at this interval of more than a century and a quarter of time, it leads to something closely resembling a watering of the American eyes and mouth to read at once the account of the parade of Washington's so-called army through Philadelphia on its way to the Brandywine during the latter days of August, 1777, and the schedule of the impedimenta turned over by the vanquished to the victors at Saratoga fifty days later. Of the first Fisher says (II. 19): "The greatest pains were taken with this parade. Earnest appeals were made to the troops to keep in step and avoid straggling. . . . To give some uniformity to the motley hunting-shirts, bare feet, and rags, every man wore a green sprig in his hat. . . . But they all looked like fighting men as they marched by to destroy Howe's prospects of a winter in Philadelphia." This authority then unconsciously touches the heart of the strategic blunder in that march being perpetrated by adding: "With the policy Howe was persistently pursuing, it might have been just as well to offer no obstacle to his taking Philadelphia. He merely intended to pass the winter there as he had done in Boston and New York." Mr. Fisher does not add that this half-organized, half-armed, half-clad, undisciplined body twelve thousand strong was on its way to measure itself in pitched battle against eighteen thousand veterans, British and German, perfectly organized, equipped and disciplined, in an effort doomed in advance to failure, — an effort to protect from hostile occupation a town of not the slightest strategic importance! It was in truth a very sad spectacle, that empty Philadelphia parade of victims on the way through a dark valley of death and defeat to Valley Forge as a destination. The cold, hard military truth is that the flower of that force — eight thousand of the best of the twelve thousand — should then have been at Saratoga, dividing among themselves the

contents of Burgoyne's army train — "a rich prize," consisting, as Trevelyan enumerates (Pt. III. 194), almost exclusively of articles which the captors specially needed. "There were five thousand muskets, seventy thousand rounds of ball-cartridges, many ammunition wagons, four hundred sets of harness, and a fine train of brass artillery, — battering guns, field guns, howitzers, and mortars; — forty-two pieces of ordnance in all." This surrender actually occurred on October 18; it might equally well have been forced in early September, and the united, victorious and seasoned army which compelled it might on the 8th of that month — the day Howe landed at the Head of Elk on Chesapeake Bay — have been hurrying forward, well advanced on its way back to confront him.

That Washington had at this juncture no realizing sense, or indeed any conception of, that fundamental strategic proposition of Frederick and Napoleon — the value and effectiveness in warfare of concentration and mobility through utilizing interior lines against a segregated enemy — was now made very manifest. For a time it was supposed that the far-wandering and elusive British armament might have Charleston for its destination. The Congress now (August 1) conferred on Washington plenary powers as to the Northern Department. Instead of acting on this empowerment instantly and decisively, in the way the situation called for, Washington excused himself on the singular ground that the situation in the Northern Department was "delicate" and might involve "interesting consequences."[1] He then called a council of war to advise

[1] Irving's *Washington*, III. 172. [Washington's letter declining to make this appointment is in *Writings of Washington* (Ford), IV. 3, and shows so curious a position for one in plenary command of the army to take, that it will bear quoting: "The northern army in a great measure has been considered as separate, and more peculiarly under their [Congress] direction; and the officers commanding there always of their nomination. I have never interfered further than merely to advise, and to give such aids as were in my power, on the requisitions of those officers. The present situation of that department is delicate and critical, and the choice of an officer to the command may involve very interesting and important consequences." With the resolution of Congress the delegates in Congress from New England wrote urging the appointment of Gates. But Washington declined to make an appointment, and Gates received his assignment from Congress. The relations between Washington and Gates had tended to become cool since Gates went to Philadelphia "for his health," in December, 1776. There he paid assiduous attention to Congress, so that when the spring opened he was much averse to resume his office of Adjutant-General, as Wash-

on the general strategic situation and the line of action best calculated to meet it. Assuming that Howe's objective was Charleston, the council decided in favor of a movement toward the Hudson.[1] As such a "movement might involve the most important consequences," Washington, instead of acting, sent a letter to the President of Congress, requesting the "opinion of that body" (Irving, III. 183). Congress gave the seal of its approval to the conclusion of the council. When every one had thus been consulted and all possible advice solicited and received, the northward movement was initiated. But at just that juncture Howe appeared in the Chesapeake. That Philadelphia was his objective now became certain; and immediately the northern movement was countermanded. The grounds on which it was countermanded were thus set forth by Washington himself: "The state of affairs in this quarter will not admit of it. It would be the height of impolicy to weaken ourselves too much here, in order to increase our strength [in the Northern Department]; and it must certainly be considered more difficult, as well as of greater moment, to control the main army of the enemy, than an inferior, and, I may say, a dependent one; for it is pretty obvious that if Gen-

ington earnestly desired. He pleaded that he had commanded the last campaign at the second post upon the continent, and expected something better than the Adjutant-Generalship. He gained his point and never resumed his former office, for which he was well fitted, but was ordered to Ticonderoga in March, and returned to Philadelphia when Schuyler resumed the command of the Northern Department. After his defection in March the men around Washington distrusted him, and his conduct after the surrender of Burgoyne, in so reluctantly returning the troops of which Washington had stripped his own army to send to his aid, justified the suspicion of his personal ambition. The special mission of Hamilton to hasten the march of those loaned corps is instructive on this point, and is told in his correspondence. After the Conway exposure, Gates ceased to hold any of Washington's esteem. It is a curious speculation how much of this jealousy and difference could have been avoided had Washington exercised the power that was undoubtedly his, and which Congress urged him to exert, a power that could best have been used by his taking his army to Albany and winning for himself the credit of Burgoyne's destruction and a united and devoted army. W. C. F.]

[1] "To counterbalance the injury which might be sustained in the South [did Charleston prove to be the objective of Howe's armament] the army under his [Washington's] particular command ought, he conceived, to avail itself of the weakness of the enemy in the North, and to be immediately employed, either against the army from Canada, or the posts of the British in New York as might promise most advantage." — Marshall, *Life of Washington*, III. 134. [The council of war was held August 21, 1777, and the minutes are printed in Ford, *Defences of Philadelphia*, 41. W. C. F.]

eral Howe can be kept at bay, and prevented from effecting his purpose, the successes of General Burgoyne, whatever they may be, must be partial and temporary" (Irving, III. 173–174). In other words, the advantages of concentration were to be ignored, and no use made of time and interior lines in the striking of blows, — now here, now there. It is quite safe to say that neither Frederick, twenty years before, nor Napoleon, twenty years later, would have viewed that particular situation in that way. They, with all their strength concentrated in one solid mass, would have struck Burgoyne first, and then Howe. They would hardly have weakened themselves by sending Morgan to help "hold Burgoyne at bay"; and then insured the loss of Philadelphia, a thing in itself of no consequence, by confronting Howe with half of an army, which, as a whole, was insufficient for the work.

As Irving shows with a delightful *naïveté*, the significance of which Fiske wholly failed to appreciate: "Washington was thus in a manner carrying on two games at once, with Howe on the seaboard and with Burgoyne on the upper waters of the Hudson, and endeavoring by a skilful movement to give check to both. It was an arduous and complicated task, especially with his scanty and fluctuating means, and the wide extent of country and great distances over which he had to move his men."[1] To attempt to carry on "two games at once" on the chess-board of war, especially with "scanty and fluctuating means," is a somewhat perilous experiment, and one rarely attempted by the great masters of the art. But, with Sir William Howe for an opponent, almost any degree of skill would suffice; opposite him at the board blundering did not count.

In the next place, the extreme slowness of movement which characterized all the operations of this campaign, whether British or Patriot, is by no means their least noticeable feature. Neither side seems to have known how to march in the Napoleonic or Wellingtonian sense of the term, or as the grenadiers of Frederick covered space. Philadelphia, for instance, was only ninety measured miles from New York; it was Howe's objective, by way of the Head of Elk. Taking twenty-eight days (July 24–August 21) to get to the Head of Elk, Howe then spent nine more days in landing his army and setting it in motion;

[1] *Washington* (Geoffrey Crayon ed.), III. 180–181, Chap. XIII.

finally, having won a complete victory on the Brandywine on the 11th of September, it was not until September 26 that he occupied Philadelphia, only some twenty miles away from his successful battle-field. In all sixty-five days had been consumed in the process of getting into Philadelphia from New York. On the other hand, the Patriot movements were no more expeditious. In sending reinforcements to Gates, Morgan, then at Trenton, received from Washington orders to move north, August 16; the distance to be covered was approximately two hundred miles, and the riflemen did it at the rate of ten miles a day. Reporting to Gates, September 7, Morgan was actively conspicuous in the subsequent operations, which dragged on through forty days. Burgoyne capitulated October 17, and Washington was then in sore straits after Germantown (October 4); but not until November 1 did Morgan even receive his orders to return, and it was eighteen days more before he at last reported back at Whitemarsh; having, quite unopposed and under pressing orders for haste, covered some two hundred and fifty miles in eighteen days — an average of fourteen miles a day. Under the circumstances, he should certainly have covered twenty. He had then been gone ninety-four days in all; under Wellington, Frederick or Napoleon, thirty at most would have been deemed quite enough in which to finish up the job, with a court-martial and dismissal from the service the penalty for dilatoriness. Not until eighteen days after the capitulation at Saratoga was official notice thereof communicated to Congress; and it was the 20th of November — five full weeks — after Burgoyne's surrender before the longed-for reinforcements from the Army of the North put in an appearance. "Had they arrived but ten days sooner," wrote Washington, "it would, I think, have put it in my power to save Fort Mifflin and consequently have rendered Philadelphia a very ineligible situation for the enemy this winter."[1] They ought to have been back in Howe's front ten weeks earlier; and, even as it was, allowing for both Gates's inexcusable procrastination and Putnam's wrong-headed incompetence (Irving),[2] they had moved to Washington's relief in a time of well-understood crisis at the rate of about twelve miles a day. Marching in the Peninsula towards Talavera (July 28, 1809) to the assistance of his less

[1] Irving, *Washington*, III. 371. [2] *Ib.* 363–367.

hardly pressed chief, General Crauford's famous Light Division, moving over execrable roads under an almost intolerable midsummer sun, covered sixty-two miles in twenty-six hours; only seventeen men having fallen out of the ranks.[1]

[1] Napier, B. VIII. Chap. II. This seems incredible, yet Napier's statement is explicit; and on such a point his authority may not be questioned. Vague but alarming rumors of disaster to Wellington had reached Crauford, whose troops, after a march of twenty miles, were hutted near Malpartida de Placencia, who at once broke camp to hurry to his aid. On the road the advancing division was met by a swarm of panic-stricken fugitives from the battle-field. Napier goes on: "Indignant at this shameful scene, the troops hastened rather than slackened their impetuous pace, and leaving only seventeen stragglers behind, in twenty-six hours crossed the field of battle in a close and compact body; having in that time passed over sixty-two English miles in the hottest season of the year, each man carrying from fifty to sixty pounds weight on his shoulders." They "immediately took charge of the outposts." It is difficult to see how this was possible. The movement involved a night march through a mountainous country and over rough roads. In continuous marching over fair roads in a reasonably easy country, two miles an hour is a satisfactory average rate of progress for a column of infantry; three for one of cavalry. Three miles an hour is very rapid marching. General Crauford, it is true, had reduced marching to a science, and got out of his men all there was in them; but, even so, making no allowance for a forced whole-night march, twenty-one of the twenty-six hours in this case specified must have been devoted to actual movement at the unexampled rate of three miles an hour. Troops in motion must halt at stated intervals for food and rest. In this case, apparently, there may, or must, have been one long halt of, possibly, three hours, in which to get a little sleep, the men dropping in their tracks; there must then have been two halts of, say, an hour each for food and rest; any remaining time — one or two hours — would scarcely have sufficed for the necessary brief halts to close up the column, and to give the men a chance to shift their packs and relieve themselves, and fill the canteens.

Incomparably the best and most dramatic infantry march I personally ever witnessed was that of the Sixth (Sedgwick's) Corps of the Army of the Potomac on the 2d of July, 1863, hurrying to the support of Meade, very hardly pressed by Lee on the second day of Gettysburg. Breaking camp at 9 P. M. of the 1st, and marching all the next day, under a Pennsylvania July sun, the corps, moving in solid column, covered some thirty-four miles. The leading brigade was then double-quicked into position to help hold the Little Round Top against Longstreet.

In each of those cases, that in Spain in 1809 and that in Pennsylvania in 1863, both officers and men knew how to march. I may claim to have participated in the march last-mentioned; as the First Massachusetts Cavalry was then temporarily detached from the brigade, under orders to report to Sixth Corps headquarters. Its marching directions for July 2 were to follow immediately in rear of the corps, and permit no straggling whatever. That day the regiment had practically nothing to do; there was no straggling. My recollection is that, in the saddle at sunrise (4 o'clock), we reached the field of battle at about 4 P. M. As respects speed, solidity and spirit, the infantry march could not have been improved upon; and the deployment of the column as it reached the rear of the line of battle at the crisis of the day's fight, was the most striking and impressive incident I remember to have witnessed during my period of service.

On this subject of infantry marches, however, I am not experienced. I there-

Four years later (1813) Wellington, in a campaign of six weeks conducted in a Spanish midsummer and over Spanish roads, marched his army six hundred miles, passed six great rivers, gained one decisive battle, invested two fortresses, and drove from Spain a homogeneous army of French veterans a fifth more numerous than his own conglomerate command.[1] As Napier in recording these events truly observes, "the difference between a common general and a great captain is immense, the one is victorious when the other is defeated."

This, however, was thirty years subsequent to the Howe-Washington campaign in Pennsylvania; but, just twenty years before, Frederick had set a yet higher standard of concentration and mobility with which all military men were familiar in 1777. Berlin, the capital of Prussia, was raided and occupied by the imperialists on the 17th of October, 1757, and a contribution levied upon it. Frederick was then at Leipsic, eighty miles away. His confederated enemies were pressing in upon him from every side. Twenty days later (November 5) he routed the French at Rossbach on the western limits of his kingdom; and then, turning fiercely to the east, fighting battle on battle and announcing his determination to assault Prince Charles and his Austrians "wheresoever and whensoever I may meet with them," on the 5th of December he won his great victory of Leuthen in Silesia two hundred miles from Rossbach, the odds in numbers engaged being some three to one against him. In that campaign (1757) concentrating his strength, throwing his whole force from side to side of his kingdom regardless equally of distance or of odds, he executed a multiplicity of complicated movements, fought seven pitched battles, and occupied one hundred and seven different positions. After Leuthen, without a moment's hesitation investing Breslau, with its garrison twenty thousand strong, he compelled its

fore print as an appendix to this paper (p. 63, *infra*) a private letter to me from Colonel C. F. Morse, at the close of the War of Secession the commanding officer of the Second Massachusetts Infantry. Colonel Morse had probably as long and varied an experience with a marching and fighting infantry regiment as any Civil War officer now surviving; for, in the Army of the Potomac until the autumn of 1863, — after Gettysburg, — he subsequently participated with his regiment in Sherman's famous marches, both that to the Sea and that through the Carolinas. He is therefore, what I am not, an unquestionable authority on all points connected with this most important factor in practical warfare.

[1] Napier, *History of the Peninsular War*, B. xx. Chap. viii.

surrender December 19, and then, and not until then, was what was left of his war-worn and foot-sore battalions permitted to go into winter quarters. Two years later (September, 1759) during the darkest hours of Frederick's seemingly hopeless struggle for existence, his brother, Prince Henry, "a highly ingenious dexterous little man in affairs of War, sharp as needles," [1] evaded Marshal Daun, who had everything fixed to destroy him on the Landskron, near Görlitz, at break of day, and marching in fifty-six hours through fifty miles of country "wholly in the Enemy's possession," fell upon the Austrian General, Wehla, and killed or captured his entire command, utterly wrecking the imperialist plan of campaign for that year. This was conducting military operations on great strategic lines and in strict conformity with the fundamental rules governing the game; but it contrasts strangely with the performances in America exactly twenty years later.

Bearing in recollection such military performances and possibilities, conducted on interior lines to well-considered and attainable objectives under correct strategic rules, it is interesting to consider what Washington actually did in 1777. As will be seen, it is not unsafe to say that during the four months — August to November — every sound principle whether of policy or strategy was on the Patriot side either disregarded or violated, — and this the "standard" American historian to the contrary notwithstanding; unless, indeed, the confessed aim and object of American history are to devise excuses, to formulate panegyrics, and, under an overruling sense of patriotism, further to contribute to the varied, if in substance somewhat monotonous, apostolic renderings of the great original Weems dispensation. On this point, however, something remains presently to be said.[2]

[1] Carlyle, *Frederick the Great*, B. XIX. Chap. VI. From a literary point of view most remarkable, and indisputably a work of genius, Carlyle's *Frederick* as a military narrative is undeniably irritating. In almost every page of his very striking account of the Second Silesian War, it is apparent that the narrator was wholly devoid of familiarity with the details of matter-of-fact warfare. Had it been Carlyle's fortune to have himself lugged a knapsack and musket a few hundred miles, to have passed a winter or two in camp, and to have participated in half-a-dozen battles, his narrative would have been altogether other than it is, and vastly more instructive as well as realistic. Carlyle's *Frederick* smells of the lamp; Napier's *Peninsular War*, of the camp-fire.

[2] Referring to this topic, Mr. Fisher, in the prefatory matter to his *Struggle*

Recurring then to the 24th of July, when Howe, putting out to sea from Sandy Hook, disappeared below the horizon, the pieces on the strategic chess-board, as already seen, stood as follows: Washington with some twelve thousand men, probably eight thousand of whom were marching effectives, was at Middlebrook on the Raritan. He held, it has been seen, the interior line, practically just midway between Peekskill, on the Hudson, and Philadelphia, on the Delaware, — one hundred and seventy miles from Albany to the north, and one hundred and forty from Elkton, at the head of Chesapeake Bay, to the south. From the military, operating point of view the two places were practically equidistant, Albany being two days' march further off than Elkton. Clinton, it will be remembered, had been left by Howe to hold the British base at the mouth of the Hudson, with hardly force enough (six thousand men) for the purpose. For the time he was a mere pawn in the game. Burgoyne with some seven thousand effectives was slowly approaching Fort Edward, which the Patriots abandoned, and he occupied, July 30. In his front, forty miles only from Albany, was Schuyler with some forty-five hundred demoralized men. Howe, with the bulk of the British army, some eighteen thousand, had disappeared, — his whereabouts and destination were matters of pure conjecture. To the strategic eye of Washington two things only were clear; while the advance of Burgoyne must at any cost be checked, Howe must be watched and, if possible, circumvented. As respects the first, he was right; as respects the second, he was in error; and because of that error Washington now made two egregious and, as the result showed, well-nigh fatal mistakes. Instead of going himself at the head of the whole effective part of his army, he, in the face of an enemy already superior in every respect, divided that army, sending a large detachment,

for American Independence, truthfully observes (vi, ix): "Our histories are able rhetorical efforts, enlarged Fourth of July orations, or pleasing literary essays on selected phases of the contest. . . . Although we are a democratic country, our history of the event which largely created our democracy has been written in the most undemocratic method — a method which conceals the real condition; a method of paternalism which seeks to let the people know only such things as the writer supposes will be good for them; a method whose foundation principle appears to be that the people cannot be trusted with the original evidence."

some three thousand strong including Morgan's riflemen, — the very kernel and pick of his command, — to reinforce Gates, now (August 16) in charge of the Northern Department, he himself, in his pest-hole of a summer camp near Philadelphia, continuing his anxious watch for Howe. It may have been generous, but it was not war; and, within less than a week (August 21) after he had thus depleted his previously insufficient strength, Howe put in his appearance at the Head of Elk (Fisher, II. 22). With his divided force to risk a pitched battle under such circumstances was to disregard the first strategic rule for his conduct, and, in so doing, to invite disaster and defeat; yet that was just what Washington did. When, in 1812, after Borodino, Kutuzof, the Russian commander-in-chief, was urged to risk another battle before abandoning "the holy Ancient Capital of Russia" to the hated invader, Tolstoi says that he put the case thus to the Council of War, — "The question for which I have convened these gentlemen is a military one. That question is as follows, — The salvation of Russia is her army. Would it be more to our advantage to risk the loss of the army and of Moscow too by accepting battle, or to abandon Moscow without a battle?" Tolstoi tells us that a long discussion ensued. At last, during one of the lulls which occurred when all felt that nothing remained to be said, "Kutuzof drew a long sigh, as if he were prepared to speak. All looked at him; — 'Eh bien, Messieurs, je vois que c'est moi qui payerai les pots cassés,' said he. And, slowly getting to his feet, he approached the table: 'Gentlemen, I have listened to your views. Some of you will be dissatisfied with me. But' — he hesitated — 'I, in virtue of the power confided to me by the sovereign and the country, I command that we retreat.' "[1] Half a loaf is proverbially better than no bread; and this homely domestic aphorism holds true also of military operations. The Russian General-in-Chief merely recognized the fact. Strategically, and from the American point of view, the battle of the Brandywine ought never to have been fought; on that point there is no disagreement. It is, however, argued that it was a political and moral necessity, — that a meddling and impracticable Congress compelled it out of regard to an unreasoning public sentiment. As Marshall, a contemporary

[1] *War and Peace*, Pt. XI. Chap. IV.

authority and himself then serving in a Virginia regiment under Washington, assures us (*Washington*, III. 144, 152, 164) — "Their inferiority in numbers, in discipline, and in arms, was too great to leave the Americans a probable prospect of victory. A battle, however, was not to be avoided. Public opinion, and the opinion of Congress, required it. To have given up Philadelphia without an attempt to preserve it would have excited discontents." If such was indeed the case,[1] the decision announced by Kutuzof to his Council of War in 1812 would have been very apposite in the mouth of Washington in 1777. As the result of the battle, he actually did lose Philadelphia, and should properly have also lost his army; for, in addition to the fact that it ought never to have been fought at all, the battle of the Brandywine, while well and skilfully fought by the British, was very badly and blunderingly fought on the side of the Americans. They were out-manœuvred, surprised, out-fought and routed. That the chief Patriot army — the main-stay of the cause of Independence — was not on that occasion utterly destroyed was, indeed, due wholly to the indolent forbearance of Howe. It was one of the pithy aphorisms of Napoleon that the art of war is to march twelve leagues in a single day, overthrow your enemy in a great battle, and then march twelve leagues more in pursuit. Sir William Howe met neither requirement; but it was in the last that he failed most conspicuously. As Galloway, the Philadelphia loyalist, with the best conceivable opportunities for forming an opinion, wrote of him, "Howe always succeeded in every attack he thought proper to make, as far as he chose to succeed" (Fisher, II. 27). In this respect Brandywine was a mere repetition of Bunker Hill and Flatbush. Of two French officers who took part in the operations on the Brandywine, one (Lafayette) observes, "Had the enemy marched directly to Derby, the American army would have been cut up and destroyed; they lost a precious night" (Irving, III. 256); the other (Du Portail) wrote, "If the English had followed their advantage that day, Washington's army would have been spoken of no more" (Stedman, I. 387). But Howe would not do it. If he had pursued Washington, it was said, and inflicted a crushing

[1] To the same effect Irving, *Washington*, III. 241. This subject will again be referred to in a subsequent part of this paper, p. 55, *infra*.

defeat, he might have left part of his force to occupy Philadelphia, and marched the rest to the assistance of Burgoyne. This was what the ministry had expected (Fisher, II. 28). As matter of cold historic truth Washington had, in the great game of war, played into his opponent's hands, — done exactly what that opponent wanted him to do, and what he ought never to have done.[1] He had permitted Howe to draw him away

[1] In his defence of his proceedings, after resigning his command and returning to England, Howe claimed that so far as Burgoyne was concerned, his Chesapeake Bay expedition was a well-designed and altogether successful movement, fully accomplishing its intended purpose. "Had I adopted the plan of going up Hudson's-river, it would have been alleged, that I had wasted the campaign with a considerable army under my command, merely to ensure the progress of the northern army, which could have taken care of itself, provided I had made a diversion in its favour, by drawing off to the southward the main army under General Washington." Therefore, acting upon the advice of the admiral, Lord Cornwallis and other general officers, believing that Washington would follow him, he "determined on pursuing that plan which would make the most effectual diversion in favour of the northern army, which promised in its consequences the most important success, and which the Secretary of State at home, and my own judgment upon the spot, had deliberately approved." — *Parliamentary History*, XX. 693, 694. And in his *Observations upon a Pamphlet entitled "Letters to a Nobleman,"* 61, Howe repeated the assertion. "I shall ever insist, and I am supported by evidence in insisting, that the southern expedition, by drawing off General Washington and his whole force, was the strongest diversion [in favor of the northern army] that could have been made." Incidentally, it is not improper here to say that nowhere does Howe appear so well as in his parliamentary defence of his conduct while in command in America, against the attacks of those categoried by Burke as "hireling emissaries and pensioned writers." Howe's statement was measured, dignified and plausible. Burke at that time prepared the review of History, Politics and Literature for the *Annual Register*. In his review, for the year 1779, is found (p. 146) the following endorsement of Howe's belief: "The drawing of General Washington and his army, near 300 miles from the North River, to the defence of Pensylvania, was the most effectual diversion that could have been made in favour of the northern army; and at the same time held out the greatest probability, that the desire of protecting Philadelphia would have induced him to hazard a general action; an event so long and so ardently coveted, as the only means which could tend to bring the war to a speedy conclusion, and which every other measure had been found incapable of producing." Further on Burke made the following statement in regard to Lord George Germain's confidence in the loyal sentiments entertained by a large portion of the population of Pennsylvania. Referring to the "American Minister," he states that "he placed much of his dependence in the firm persuasion, that the well-affected in Pensylvania were so numerous, that the general would be able to raise such a force there, as would be sufficient for the future defence and protection of the province, when the army departed to finish the remaining service."

[Burgoyne believed that he had saved Howe's army. Upon his making terms with Gates, Burgoyne wrote a private letter to Howe explaining that his orders obliged him to hazard his corps for the purpose of forcing a junction, "or at least

from his true objective, — the army of Burgoyne, — then to divide his force, and, finally, in the sequence of so doing, to venture a pitched battle which he had not one chance in ten of winning. Great in ministerial circles were the gratulations when news arrived in London that Howe's false move had been thus retrieved by a move equally false on the Patriot side. "I confess," wrote Lord George Germain, — and one can even now almost hear a deep-drawn breath of relief in the words, — "I confess I feared that Washington would have marched all his force towards Albany, and attempted to demolish the army from Canada, but the last accounts say that he has taken up his quarters at Morristown after detaching three thousand men to Albany. If this is all he does he will not distress Burgoyne." [1] Thus while himself wandering off with an utterly false objective — Philadelphia — in view, by supreme good fortune Howe had not only induced Washington to follow him, but also in so doing to give the British leader a chance at his true objective, Washington's own army. In the final outcome, it is difficult to see how blundering could have gone further. Out-manœuvred and out-fought, twice beaten in pitched battles neither of which under the circumstances he ought to have risked, Washington presently crawled into his winter quarters at Valley Forge, while Howe ensconced himself comfortably in Philadelphia. Yet months before, Charles Lee, then a prisoner of war in New York, had traitorously but truly advised Howe, "In my opinion the taking possession of Philadelphia will not have any decisive consequences" (Fisher, II. 75).

The actual strategy of the campaign of 1777 has now been passed in view, and its merits or demerits on either side tested by the application to them of the acknowledged principles of a sound policy or rules of correct strategy, laid down in the full

of making a powerful diversion in your [Howe's] favor, by employing the forces that otherwise would join General Washington." And a few days later he returned to the subject: "If my proceedings are considered in one point of view, that of having kept in employment till the 17th October a force that joined with Mr. Washington in operation against your Excellency, might have given him superiority and decided the fate of the war, my fall is not to be regretted." — *Burgoyne to Howe*, October 20 and 25, 1777. Hist. MSS. Com., *American Manuscripts in the Royal Institution*, I. 140, 143. W. C. F.]

[1] [*Lord George Germain to General Irwin*, August 23, 1777. Hist. MSS. Com., *Report on MSS. of Mrs. Stopford-Sackville*, I. 138. W. C. F.]

light of subsequent events and with our knowledge of conditions then existing. The result has been stated. On neither side was the great game played with an intelligent regard to its rules; but, taken as a whole, the mistakes committed and the blunders perpetrated on the British side clearly and considerably more than counterbalanced those on the Patriot side. On each side they were bad; but in Burgoyne's capitulation the British lost so to speak a Queen, while in Howe's failure to destroy Washington's army after his victory on the Brandywine the British threw away the chance of mating their adversary's King, by no means impossibly of calling a checkmate.

Charles Lee was second to Washington in command of all the American armies. Captured, or rather ignominiously bagged, by the British at Baskingridge, December 13, 1776, Lee passed the entire year 1777 a prisoner of war in New York, not being released in exchange until May, 1778. While in New York, Lee experienced a change of heart as respects the conflict in which he was a participant; and, with distinctly traitorous intent, drew up a plan of operations for the guidance of General Howe. One feature of this plan has already been referred to. Charles Lee was not a man who inspired either confidence or respect. So lightly did his former British army associates regard him that when his capture was announced and the disposition to be made of him as a prisoner of war was mooted, it was contemptuously observed by "one of the wisest servants of the Crown" that he was so constituted that "he must puzzle everything he meddles in, and he was the worst present the Americans could receive." [1] Lee, nevertheless, did have a certain military instinct as well as training, and it is a curious fact that in "Mr. Lee's Plan — March 29, 1777," found in 1858 among the Howe papers, a scheme of operations was outlined in close general conformity with the principles set forth in the earlier portion of this paper. Holding New York as a base, the navy was also to secure the control of Chesapeake Bay; and then, cutting New England off from the Middle Provinces, was to rely on gradual inanition to dissolve the Patriot levies. So self-evident did this strategic proposition

[1] N. Y. Hist. Soc., *Lee Papers*, IV. 402.

seem to Lee that up to the 15th of June, 1778, three days only before Howe's successor, Clinton, abandoning Philadelphia in the summer following Brandywine, began his march to New York, Lee at Valley Forge insisted, in a long letter addressed to Washington, that the plainly impending move of the British commander would be in the direction of Lancaster, Pennsylvania, with a view to manœuvring the Patriot army out of its strong position at Valley Forge and forcing it to a trial of strength under conditions less advantageous to it; and then, whatever the result, Clinton purposed to take possession of some convenient tract of country effectually protected by the British command of the sea, and, by so doing, to unhinge the whole machine of resistance.[1]

The French alliance, jeopardizing as it did for the time being — and until Rodney's victory (February 19, 1782) — the British control of the sea, had in June, 1778, introduced a new and controlling factor into the strategic situation, in obedience to which Clinton made his move from Philadelphia to New York. But until the news of Burgoyne's capitulation reached Europe (December, 1777), resulting in the Franco-American alliance (January, 1778), it is difficult to detect any point of weakness in "Mr. Lee's Plan." If put in operation at any time during 1777 and systematically pursued, it could hardly have failed to work. The British commander had at his disposal an ample force with which to do anything, except generally occupy the country. Had he seen fit in June, 1777, to move up the Hudson by land and river to effect a junction with Burgoyne, the Americans, as their leaders perfectly well knew, could have offered to him no sort of effective opposition. "Nothing under Heaven can save us," wrote Trumbull, "but the enemy's going to the southward."[2] Chesapeake Bay, with Hampton Roads as a depot and arsenal, next lay at the mercy of the British fleet. Wilmington, carrying with it a complete control of the Delaware and the whole eastern shore of Maryland, did not admit of defence; neither, as events subsequently showed, did Charleston or the coast of the Carolinas: and the interior was subsidiary to the seaboard controlling points. The Patriot army, if left to itself, behind an effectively

[1] *Lee Papers*, II. 401. [2] Fisher, II. 71.

blockaded coast, could not be held together because of a mere lack of absolute necessities in the way of food, raiment and munitions. All the British had to do was, apparently, to hold the principal points of seaboard supply and distribution, and a single line of interior communication — New York Bay to Lake Champlain — and then — wait! How utterly and completely they failed to adopt this policy, or to act on these strategic lines, is matter of record. They not only threw away their game, but they lingered out eight years in doing it.

Turning now to the other side, the conclusion to be reached is not greatly better. The record does not need to be recalled in detail: at the South, Brandywine (September 11), Paoli (September 20), Germantown (October 4), Fort Mifflin (November 15), and Valley Forge (December 9) — all in 1777. An undeniably bad and ill-considered record, with a most wretched termination. At the North it was better, though somewhat checkered; Ticonderoga lost (July 5), Fort Edward abandoned (July 30), Bennington won (August 14), Fort Montgomery and the Hudson Highlands lost (October 6), winding up with the Saratoga capitulation (October 17).[1] Assuming now that the game had been played quite otherwise than it was played, and more in accord with the rules of "good generalship," it is possible, knowing as we do the characters and temperamental methods of those responsible for the movements made, approximately to predicate results. As already set forth, and for ulterior reasons once more briefly summarized, they would have been somewhat as follows:

On July 30 Howe's armament appeared at the entrance of Delaware Bay, and again vanished. Had Washington been endowed with the keen military instinct of Frederick or of Napoleon, that one glimpse would have been enough. Holding the interior line, Washington would have realized that Howe had made himself for an indefinite but most vital period of

[1] Writing to his brother from Valley Forge, January 3, 1778, Greene summarized the 1777 campaign: "You mention my letter to Governor Cook, in which I pronounce the division in the British force as a fortunate circumstance for America. The events of the campaign have verified it. . . . Our army, with inferior numbers, badly found, badly clothed, worse fed, and newly levied, must have required good generalship to triumph over superior numbers well found, well clothed, well fed, and veteran soldiers. . . . The limits of the British government in America are their out-sentinels." — *Life of Nathanael Greene*, I. 545.

time a purely negligible military quantity. Burgoyne, on the other hand, had compromised himself. There would have been one tiger spring; and, before the British commander realized his danger, he would have been in the toils. The next move would have been a logical sequence. Working on interior lines and applying either Frederick's or Napoleon's pitiless mobility to the situation, eighteen days would have seen the Patriot army either striking savagely at Clinton in the absence of a protecting fleet, or back on the Delaware.

What Frederick or Napoleon would now have done, if placed in the position of Washington at that time, it would be foolish to undertake to say; for Frederick and Napoleon were men of genius, and, when the critic or theorist undertakes to indicate the path they would have followed under any given conditions, one thing only can safely be predicated: — The conclusion reached would be far from the mark. Not impossibly, however, if a guess may be ventured by a tyro, — and in the case of Frederick such a move would have been very characteristic, — the morning after Burgoyne's capitulation, the head of the Patriot column would have been in motion towards Albany. Surveying the chess-board, and the character and location of the pieces upon it, Frederick might have argued somewhat as follows: Howe is in Philadelphia; if I now strike swiftly and heavily at Clinton in New York, Howe, suddenly awakened to the fatal mistake he has made, and his imperilled base, will be sure to hurry by the shortest route to Clinton's rescue; and I, abandoning New York, will then meet him, with every man and gun I can muster, at a point I will myself select in New Jersey; but "I propose to fight him wheresoever and whensoever I can find him." Clinton's turn would have come next.

Wellington, on the other hand, if similarly circumstanced, would not improbably have from the outset observed Howe's performances with the same "stern contentment" with which he observed the mistaken move of Marmont at Salamanca. He would have been not ill pleased to have his opponent establish himself in Philadelphia, thus dividing his command, and placing himself in an isolated spot far from his base and of no strategic importance. Looking into the necessary subsequent moves in the game, Wellington would have seen that Howe

once in Philadelphia must as a military necessity possess himself of the forts on the Delaware; he had to communicate with the British fleet. Those forts were held by Patriot garrisons, and, after the bagging of Burgoyne, their capture must be effected under the eyes of a united and well-equipped covering force awaiting its opportunity, in no degree depleted by defeat. To a hawk-eyed commander, and that Wellington unquestionably was, such an opportunity could hardly fail to offer itself; and the equivalent of Germantown would then have been fought under wholly different auspices. It would have been fought to cover the defences on the Delaware. It is useless to venture a surmise as to the probable outcome of such a trial of strength. One thing only can safely be predicated of it, a victory won under those conditions would have cost Howe heavily. Not impossibly half his army would have disappeared.

Unfortunately, until too late, Washington did not see this latter situation in any such light. On the contrary, during the aimless marching and countermarching which followed the disaster on the Brandywine (Irving, III. 368–369, when no doubt longer existed of Howe's ultimate occupation of Philadelphia, Marshall says (*Washington*, III. 154, 155): "To the requisitions for completing the works on the Delaware, the general answered that the service would be essentially injured by employing upon them at this critical juncture, while another battle was contemplated, any part of the continental troops; that, if he should be enabled to oppose the enemy successfully in the field, the works would be unnecessary; if not, it would be impossible to maintain them." As the actual result showed, this conclusion was wrong at each point; the enemy was not successfully opposed in the field, and the forts should have at once been completed, to be firmly held under the watchful eyes of a covering and as yet unbeaten army.

It is related of the Duke of Wellington that, on the day following one of his Peninsular battles, he gruffly observed to an old Scotch regimental commander, "How 's this, Colonel, I hear that some French cavalry got inside your square yesterday?" To which he received the no less gruff reply, "Is that so, your Grace; but ye did'na happen to hear they got out

again, did ye?" It was easy enough for Howe, after Brandywine, to get into Philadelphia; it was for Washington to see that, once in, it was not equally easy for Howe's army to open communications with the British fleet.

Speaking generally, however, and making no attempt to peer too curiously into the infinite might-have-beens, the situation of the pieces on the strategic chess-board in September, 1777, and after Brandywine, was comparatively simple. Certain moves, become military necessities, may safely be predicated as having then been inevitable; for "Unless they had complete control of the Delaware to the sea Philadelphia was nothing but a death-trap for the British" (Fisher, II. 44). Had the game therefore been played by the Americans skilfully and in accordance with the rules, Howe would have been permitted to march into the trap there, then to find the door between him and his fleet very firmly barred. In other words, avoiding a pitched battle like Germantown, but manœuvring for delay, the Patriots should have perfected and provisioned the defences, throwing into them strong garrisons of the more reliable troops, under their most resolute commanders. The covering army should then menacingly have watched; for Howe would have been compelled at any cost to possess himself of the works. Nothing of the sort was done. When at last a force of some two hundred men was thrown into Fort Mifflin, it was found to be "garrisoned by thirty militia only." The whole military situation had been misconceived;[1] but Howe, after Germantown, most characteristically gave his opponent two weeks' time in which to do the long-neglected obvious, and in some slight degree save the gravely jeopardized Patriot situation. With Germantown fought on October 4, not until the 19th did the British commander address himself to the imperative problem of securing the defences on the Delaware. Two weeks of time very precious to his side had been wantonly wasted. Fortunately for him his adversary had also failed to improve them. Delays were equally divided; for, far to the north, Burgoyne, who should have been wiped off the board six weeks at

[1] "It had been impracticable for the commander-in-chief to attend personally to these works, and they were entirely incomplete. The present relative position of the armies gave them a decisive importance." — Marshall, *Washington*, III. 175.

least before, had capitulated on October 17; but not for over two weeks yet (November 1) did Morgan and his riflemen receive orders to rejoin Washington, and they found him at Whitemarsh November 18. The campaign was then over. Such dilatoriness does not admit of satisfactory explanation. Warfare was not then, nor can it ever be, successfully conducted in that way.

Apparently, Washington's still divided army had as a fighting unit been used up in two ill-considered and hopeless battles, that on the Brandywine (September 11) and that at Germantown (October 4), and was equal to no aggressive action during the month of Howe's operations against the forts (October 22–November 15). A golden opportunity was thus lost.

It is hardly worth while further to consider what might have been the outcome of that campaign, with Howe still in command of the British, had the Patriots pursued a more active and intelligent course. But, had the fundamental rules which should have governed the game been grasped and observed, it is by no means beyond the range of reasonable possibilities that the conflict might, even as it was, have then been brought to a triumphant close. Burgoyne disposed of even by the middle of October, a united and seasoned Patriot army, equipped with Burgoyne's stores and strengthened by his excellent field batteries, might have confronted Howe in his Philadelphia death-trap; and they would then have been in position to assail him fiercely when he tried to open the securely fastened door which stood in the way of all communication with his fleet. Even as it was, those defences — neglected, half-finished only, ill-garrisoned, unsupplied and unsupported — held out six weeks, checking the more important operations against Washington's depleted and twice beaten army. During that time Howe was in great danger of being starved out of Philadelphia, as his army had to be supplied by flatboats running the gauntlet of the forts at night, and never had more than a week's rations on hand.[1] Under these circumstances it was small cause for surprise that as the days crept on the extreme gravity of the situation "was apparent in the countenance of the best officers, who began to fear that the fort would not be

[1] *View of the Evidence relative to the Conduct of the American War under Sir William Howe*, etc., 114.

reduced";[1] in which case was it at all impossible that Howe might in one season have shared the fate of Burgoyne, the tactics and mobility of Princeton and Trenton having been enlarged and developed to cover the broader strategic field between Philadelphia and Saratoga? In such case Yorktown would have been anticipated by exactly four years.[2]

Again, and finally, reviewing the campaign of 1777, it is almost undeniable as an historical and strategic proposition, that, either in its early stages or in the course of it, decisive results as respects the entire conflict were within the safe and easy reach of either party to it, who both saw and took advantage of the conditions in his favor and the opportunities offered him. Had Howe gone up the Hudson in June and effected a junction with Burgoyne on the land side, while with the navy the British seized Hampton Roads and blockaded the Delaware from Wilmington, further resistance would have been almost completely paralyzed, and the Patriot army must apparently have dissolved from inanition. There would have been no visible alternative. On the other hand, when Howe, at the crisis of the campaign, disappeared in space, leaving the field free for his opponent, Saratoga, the Philadelphia death-trap and the defences of the Delaware offered almost infinite strategic and tactical possibilities.

It remains to forestall, and, if possible, in advance meet the criticisms which may not improbably be made upon the views herein taken and the conclusions reached. In the first place it will almost inevitably be urged that due allowance has not been made for the earlier and less matured conditions existing in 1777, as compared with those of the present time or of 1861–65. In the Revolutionary period the country was in no way self-sustaining; the present means of information did not exist; the roads and channels of communication, when as yet not still unmade, were at best crude and inadequate; and, consequently, such military mobility as that suggested, while practicable for Frederick, was impossible for Washington.

[1] *Letters to a Nobleman* [Howe] *on the Conduct of the War in the Middle Colonies*, 81. Greene, writing November 4, said: "The enemy are greatly discouraged by the forts holding out so long; and it is the general opinion of the best of citizens that the enemy will evacuate the city if the fort holds out until the middle of next week." — *Life*, I. 504.

[2] Trevelyan, Pt. III. 289; Fisher, II. 30.

The reply to this criticism is obvious and conclusive. In answer to a call of great exigency from Albany after the evacuation of Ticonderoga (July 4) Washington, in presence of the enemy, — dividing thereby a force at best insufficient, — sent Glover's brigade and Morgan's riflemen, in all some 3000 of his most effective troops, to confront Burgoyne. They covered the ground with a fair degree of rapidity, and rendered valuable service. There is no apparent reason why what was accomplished by this large detachment with no serious difficulty should have been impracticable for the commander-in-chief with the bulk of his army. Four years later, when the operation suggested itself to him, Washington moved a larger force through a more difficult country a yet greater distance in less time; and he did it with no particular trouble. A French contingent, some fifteen hundred strong, then proceeded from Newport, Rhode Island, through Connecticut, crossed the Hudson above New York, and marched down to the Head of Elk on Chesapeake Bay; this in midsummer and early autumn. Apparently, those composing this array had a highly enjoyable outing.[1] Accompanying the movement of the allied forces from the Hudson to Yorktown, Washington, with his companions, is said to have at times got over sixty miles a day.[2] During the intervening four years he had obviously improved both in strategy and mobility. In effecting on interior lines this really fine concentrated movement against a divided enemy, the American commander had, also, knowingly left Philadelphia quite uncovered from the direction of New York, where Sir Henry Clinton lay with 18,000 idle effectives at his disposal. (*Ib.* 421.) Both sides had at last got to a realizing sense that Philadelphia was a mere pawn in the game, the loss or taking of which signified nothing. The sudden concentrated move on Cornwallis at Yorktown was, on the contrary, called checkmate to King George.

[1] The entire distance, land and water, traversed by Rochambeau's command in this movement was 756 miles. Setting out from Providence June 18, Yorktown was reached October 28. The actual road-marching distance was 548 miles, which were covered in thirty-seven days, or at an average rate of fifteen miles a day. The American army set out from Dobbs Ferry August 20 and reached Williamsburg, 492 miles, September 14, having covered on an average twenty miles a day.

[2] Bancroft (Cent'l ed.), VI. 424.

In their deeply suggestive and intensely interesting story, *Le Conscript de 1813*, which, now become a classic, excited some fifty years ago such world-wide attention, Erckmann-Chatrian describe the veteran sergeant Pinto observing through the vanishing mist the allied armies about to attack Napoleon in flank and cut his column in two, on the morning of Lützen (May 2, 1813); as he does so, "le nez en l'air et la main en visière sur les yeux," he remarks to the conscript at his side — "C'est bien vu de leur part; ils apprennent tous les jours les malices de la guerre." A similar observation might have been applied by Sir Henry Clinton to Washington and his movement in September, 1781. Meanwhile the conditions under which operations were carried on had not greatly changed since July, 1777; it was Washington who had developed.

Another objection urged will not improbably be to the effect that Washington's military action was, in July, 1777, hampered. From considerations of *prestige* and on political grounds (Irving, III. 241), he could not afford to leave Philadelphia and the Middle Provinces even temporarily uncovered, no matter what great and speedy results might by so doing be secured in the North. In the first place be it observed, Washington never suggested any such move as that against Burgoyne, leaving Philadelphia uncovered to await its outcome; nor, accordingly, did Congress in any way hamper him as respects making it. On the contrary, he seems to have acted wholly on his own volition and in accordance with his own best judgment, and is himself on record to this effect. (P. 35, *supra*.) But, even assuming the contrary, the extreme unwisdom, not to say weakness, of allowing clergymen, politicians, editors and citizens generally to influence campaign operations has been generally admitted ever since September 3, 1650, and that day's experience of Leslie's Scotch army at the hands of Cromwell, near Dunbar. Really masterful captains do not give ear, much less yield, to such influences. On the other hand, it is matter of record that Washington was noticeably given to holding councils of war, ever seeking advice and showing a somewhat excessive deference to public opinion. He did so on Long and Manhattan Islands in 1776; and again before Philadelphia, in 1777; by so doing in both cases jeopardizing gravely the cause he was there to protect. He did so knowingly and avowedly; for

difficult as it is of belief, he seems actually for a time to have held himself bound to follow the opinion of the councils he had called in all cases where it diverged from his own.[1] As to the strategic importance of Philadelphia, Washington in the summer of 1777 seems himself to have been laboring under as great a delusion as that which possessed Howe. It apparently never occurred to him that Philadelphia could most certainly be either saved or rescued by a sudden, concentrated blow struck just north of Albany. Greene, far and away the ablest of his lieutenants, also shared in the costly delusion; but with a saving hesitation due to his keener military instinct. "I think it," he wrote, on August 14, 1777, "an object of the first importance to give a check to Burgoyne, . . . [but] Philadelphia is the American Diana, she must be preserved at all events. There is great attention paid to this city; it is true it is one of the finest upon this continent, but in my opinion is an object of far less importance than the North River." [2] So, less wise than Kutuzof in the next generation, Washington sacrificed an army in hopeless conflict to save "the American Diana"; and, when the "Diana" in question fell a prey to the ravisher, it was in due time discovered that she was not worth saving, but, on the contrary, only a Delilah, and rather in the nature of a "death-trap" to the foreign possessor. Having, so far as the record shows, been in no respect hampered in his action, but following the dictates of his judgment, "his own valiant spirit" and "the native ardor of his character" (Irving, III. 241, 242), but, unfortunately, in pursuance of a thoroughly unmilitary plan, Washington lost Philadelphia and reduced his army to impotence from repeated defeat. He then presently did what he should have done four months before, abandoned Philadelphia to the enemy and elsewhere sought salvation for the cause. Even this, however, was done only after the holding of yet other useless councils of war.

These grounds of criticism anticipated, and perhaps in de-

[1] In March, 1777, Washington sent Greene to Philadelphia to reach a distinct understanding with the Congress on this subject, among others. The question was then formally raised, and the following recorded: "*Resolved*, that General Washington be informed that it never was the intention of Congress that he should be bound by the majority of voices in a council of war, contrary to his own judgment." — Greene, I. 348; *Journals of the Congress*, March 24, 1777.

[2] Greene, I. 435.

gree overcome, the final and fundamental objection to the views here advanced remains; and that objection, already alluded to, is in reality at the basis of all others, and consequently the one most difficult to overcome.

At the threshold of his *Life of Columbus*, Washington Irving, in a tone so earnest as to amount almost to indignation of utterance, lays down this canon for the guidance of historical investigation: "There is a certain meddlesome spirit, which, in the name of learned research, goes prying about the traces of history, casting down its monuments, and marring and mutilating its fairest trophies. Care should be taken to vindicate great names from such pernicious erudition. It defeats one of the most salutary purposes of history, that of furnishing examples of what human genius and laudable enterprise may accomplish." [1] This in the case of Columbus; but the same, or a very similar, canon of criticism is levelled at all those who since have ventured, or even now venture, in any way or degree to dissent from that sweeping and altogether indiscriminate estimate of Washington, whether as a man, a patriot or a captain, emanating first from Mason L. Weems, as early as 1800, and since greatly elaborated by a large and devoted school of investigators and biographers, of which Weems must ever remain the unacknowledged head. Of this school Irving is himself, perhaps, the chief and most respected exponent. Such have established a cult — almost a creed. To dissent from it in any respect may not indeed be proof of moral turpitude, but is with them suspiciously suggestive of intellectual weakness. In our historical literature this cult has been carried to such a point as to have become a proverb in Europe. Bagehot, for instance, in alluding to some exaggeration of statement, says it would be as absurd as "to describe a post-boy as a sonneteer describes his mistress, or as the Americans stick metaphors upon General Washington." [2] This almost theological desire to preserve the Washington legend in undiminished lustre, above all doubt and beyond limitation, has gone to the extent even of a systematic suppression of evidence and consequent falsification of history. In some well-established cases this has been advanced as a patriotic duty. A striking instance is afforded in the *Life of*

[1] *Columbus* (Geoffrey Crayon ed.), I. 71.
[2] *Literary Studies*, I. 126.

Greene by his grandson. Among the papers consulted by G. W. Greene in the preparation of his work were the Pickering MSS., in the possession of our Society. He there found this anecdote, Timothy Pickering being Adjutant-General of Washington's army during those operations about Philadelphia in the autumn of 1777 which have just been passed in review: "On one of these dreary nights," writes Pickering, "as the army marched upwards on the eastern side of the Schuylkill, in its rear I fell in with General Greene. We descended the bank of Perkiomen Creek together, and while our horses were drinking, I said to him: 'General Greene, before I came to the army, I entertained an exalted opinion of General Washington's military talents, but I have since seen nothing to enhance it.' I did not venture to say it was sensibly lowered, though that was the fact; and so Greene understood me, for he instantly answered in these words precisely: 'Why, the General does want decision; for my part, I decide in a moment.'"

The biographer of Greene then adds this delightful comment and *naïve* confession, breathing in its every word the whole spirit of the Weems school and Washington cult: "That Greene did decide, after a careful examination of facts, with marvellous promptitude, is asserted by all who knew him, and proved by all his independent acts. Still, I could wish that he had never permitted himself to call Washington's decision in question; for the hereditary reverence I have been trained up in for that wonderful man, and which Greene's precept and example have made traditional in his family, renders it difficult for me to enter into the feelings of those who, acting with him, and loving and revering him, and putting full faith in his civic talents, still permitted themselves — as Hamilton and Pickering and Steuben are known to have done — to doubt his military talents."

Then follows, in a foot-note: "I have been counselled not to repeat this anecdote; but, as I interpret the historian's duty, the suppression of a characteristic fact is a practical falsehood. Greene saw faults in Washington, but saw too that they were outbalanced by his virtues. Lafayette tells us that Washington's 'reluctance to change opinion' led him to expose himself and his suite to a serious danger. Did Lafayette look up to him with any the less reverence?" (I. 468–469.)

Further comment is unnecessary. Volumes could not express more; but, followed in that spirit,

> "Science is a blind man's guess
> And History a nurse's tale."

Finally, as to the two opponents confronting each other at the chess-board of the Kriegspiel which has now been passed in review, — Howe and Washington. Of Howe it is not easy to find much that is pleasant or anything commendatory to say. Trevelyan, after his kindly fashion, tries to part from him with a few pleasantish words (Pt. III. 284–287), but does so with at best indifferent success. He says of him that he was "an indulgent commander; who lived and let live; and who, when off duty, was as genial to his followers, high and low, as on the actual day of battle he was formidable to the enemy." But, when it came to presenting an estimate of Sir William Howe, Charles Stedman enjoyed far better opportunities for so doing than Sir George Trevelyan; and, if the cold historical truth is the thing sought, Stedman's measured but stern indictment (*History*, I. 308–309, 381–384) of the British commander should be read in close conjunction with Trevelyan's words of friendly farewell. A man of unquestioned physical courage, as a soldier Howe was a very passable tactician. Face to face, on the way to a field of battle or on that field itself, he never failed both to out-manœuvre and to out-fight Washington; but, on the other hand, he had no conception of a large strategy, or of the value of time and energy as factors in warfare. Most companionable, he was lax in morals, physically self-indulgent and indolent in the extreme. In no way either thoughtful or studious, he was without any proper sense of obligation, personal or professional; and, moreover, there is reason to suspect that he was somewhat disposed to jealousy of those who might be considered in the line of succession to him,[1] especially of Sir Guy Carleton and General Burgoyne, who chanced both to be his seniors, the last by no less than seven years. Receiving at Bunker Hill a severe lesson in his over-confident attempt at a frontal attack, he afterwards showed a fair degree of skill in a recourse to flanking tactics; but, judged by the higher standards of this sort of

[1] Fisher, Chap. LIX. with authorities cited.

work both before and since, what he accomplished was in no degree memorable. As a man of thirty he led Wolfe's famous scaling party at Quebec on the morning of September 13, 1759; but in 1777 he was forty-eight years old, and, becoming heavy in person, had apparently lost any mental or physical alertness he might once have possessed. Certainly, it cannot be claimed that during the campaigns of either 1776 or 1777 he evinced the possession of either personal character or professional skill. In 1777 his failure to grasp the controlling factors of the situation was so gross as to excite surprise at the time, and afterwards to defy all efforts at explanation either by himself or the historian. It remains to this day a puzzle, or worse; for, in plain language, his course, as already intimated, was suggestive at least of jealousy and disloyalty, if not of actual treachery. If he did not intentionally betray him, he wantonly abandoned Burgoyne to his fate. A man, in short, of the Charles II type, he set the worst possible example to his subordinates, and did much to debauch and demoralize the army entrusted to him. Altogether, it can hardly be denied that, in 1777, he was, in mess-room parlance, a rather poor shote.[1]

[1] Charles Lee was two years Howe's junior, Howe in 1775 being forty-eight and Lee forty-six. They had probably known each other before the Revolutionary troubles. Both had served in America during King George's War, Lee having been with Braddock at Fort Duquesne (1755), and Howe with Wolfe at Quebec (1759). They probably knew each other. Lee was a prisoner of war in New York, where Howe was in command, from December, 1776, to April, 1778, and the two doubtless then saw more or less of each other. Subsequently Lee, writing to Benjamin Rush from the camp at Valley Forge, June 4, 1778, gave to his correspondent the following pen-and-ink sketch of Howe, who had then shortly before laid down his command and gone to England: "From my first acquaintance with Mr. Howe I liked him. I thought him friendly, candid, good natur'd, brave and rather sensible than the reverse. I believe still that he is naturally so, but a corrupt or more properly speaking no education, the fashion of the times . . . have so perverted his understanding and heart, that private friendship has not force sufficient to keep a door open for the admittance of mercy towards political Hereticks. . . . He is besides the most indolent of mortals. . . . I believe he scarcely ever read the letters he signed. . . . You will say that I am drawing my Friend Howe in more ridiculous colors than He has yet been represented in — but this is his real character — He is naturally good humour'd and complacent, but illiterate and ignorant to the last degree unless as executive Soldier, in which capacity He is all fire and activity, brave and cool as Julius Cæsar — his understanding is, as I observ'd before rather good than otherwise, but was totally confounded and stupify'd by the immensity of the task impos'd upon him — He shut his eyes, fought his battles, drank his bottle, had his little

Washington, on the other hand, impresses one throughout as being a clear-headed, self-centred Virginia planter and gentleman of the colonial period, noble-minded, serene and courageous, upon whom, at the mature age of forty-three, had been imposed the conduct of a cause through the command of the simulacrum of an army. A man of dignified presence and the purest morals, his courage, both moral and physical, was unquestioned; but, frequently puzzled and hesitating, he showed a proneness to councils of war in no way characteristic of the born commander of men. As a strategist, he was scarcely superior to Howe; while, as a tactician, Howe, mediocre as in this respect he indisputably was, distinctly and invariably outclassed him. Washington fought two pitched battles in the 1777 campaign, neither of which can be justified under the circumstances; and both of which he lost. His strategy was at the time and has since been characterized as Fabian, yet in every one of his campaigns he evinced a most un-Fabian reluctance to abandoning any position, even though of no strategic importance, or perhaps incapable of successful defence. It was so at Brooklyn and on Manhattan Island in 1776; and, again, on the Delaware in 1777. In both cases he was, in fact, altogether too ready to fight. That the tools with which he had to work were poor, unwieldy and altogether too often unreliable does not admit of question; but it is the part of great commanders to make good such deficiencies in unexpected ways. This Washington failed to do. What he lacked is obvious, though then it could not have been forthcoming, — a trained and experienced Chief of Staff, a man who would have been to him what Gneisenau was to Blücher in 1815, and what A. A. Humphreys was to General Meade during sixteen months of the Army of the Potomac. Among the Revolutionary officers Greene unquestionably would most nearly have met the requirements of the place; but Greene, though naturally a soldier, was self-taught and lacked experience. It is doubtful if he had any correct idea of the functions of a staff, and he certainly was not familiar with the details of a complete military

whore, advis'd with his Counsellors, receiv'd his orders from North and Germain, one more absurd than the other, took Galloways opinion, shut his eyes, fought again, and is now I suppose to be call'd to Account for acting according to instructions; but I believe his eyes are now open'd." — *Lee Papers*, II. 397–398.

organization, even to the degree that organization had attained prior to the wars of Napoleon. But, probably, it is fortunate no such position then existed; for, had it existed, some foreigner would almost certainly have been selected to fill it; and it would be difficult to name any foreigner, adventurer or otherwise, who in the American service has ever yet really understood either American conditions or the American as a soldier. Almost invariably such bring to their task European notions and formulas; and such do not apply. Essentially a volunteer, a ranger and a rifleman, the American soldier has an instinctive dislike for the European martinet; and, curiously enough, Washington himself neither understood nor used the American soldier as did Greene and Morgan in the Revolution, Jackson in the War of 1812, or Grant, Sherman and Sheridan, on the one side, and Lee, Jackson and Forrest on the other in the War of Secession.

In one respect, however, and a most important respect, Washington was supremely and uniformly fortunate, — his luck as respects those opposed to him in the game of war was notable and uniform. Gage, Howe, Clinton fairly vied with each other in their low level of the British commonplace, — what Stedman most happily terms "monotonous mediocrity." Finally, as has elsewhere been said, Washington, courageous and enduring, confident himself and inspiring confidence in others, great in saving Common Sense, was unequalled in the possession of those qualities which go to make up what men know, and bend before, as Character.

Not only in this respect but in his other limitations as well as attributes Washington is irresistibly suggestive of William of Orange. Each evinced throughout life and under most trying conditions the same overruling sense of duty and obligation, — the same steadfastness and serenity in presence of adversity, an equal saneness of judgment and patient confidence in the cause to which fate had devoted him. As a soldier, William did not excel. Confronted in Alva with a really capable military opponent, he never won a battle, and his campaigns were utter failures. The Spaniard in fact did with him almost as he pleased; yet the Dutchman was indomitable. Though between the Duke of Alva and Lieutenant-General Sir William Howe, of course, no comparison can be instituted, it

was much the same in this respect with Washington. Neither William nor Washington evinced in his career the possession of any highly developed military or strategic instinct; in both also there was a noticeable absence of aggressive will power; and, moreover, of that dangerous and ill-boding arbitrariness of disposition almost invariably the concomitant of an excess of will power. In Washington as in William there was likewise noticeable a certain lack of intellectual alertness, amounting at times almost to a slowness of apprehension.

By universal admission there is no more considerable, as well as admirable, figure in all modern history than William the Silent; and, while he stands forth as the great historical prototype of Washington, it may not unfairly be asserted the latter suffers nothing in a comparison with him.

Kansas City, November 2, 1910.

Dear Mr. Adams, — I have your letter today asking as to the rate of marching by infantry troops. With good roads and no unusual obstructions infantry would make an average of about two miles an hour, and fifteen miles a day was a good march. This would mean from nine to ten hours on the road. On a well regulated march it was the usual custom to march for an hour, then halt for ten minutes, and at noon rest for one hour. On the march from Atlanta to Savannah we averaged very close to fifteen miles a day for twenty-two days' actual marching. This march was conducted with great skill and precision, using all available roads over a width of some thirty miles of country. Both roads and weather were very good. The advance guard would start at daylight, getting into camp by three or four o'clock in the afternoon, and the rear would camp by dark or soon after. In the Carolinas it was very different, weather and roads were both bad, and we often made not more than eight or ten miles in an entire day. One occasion I remember very well, when my regiment was rear-guard. We started about nine o'clock in the morning behind the ammunition train and reached the camp of the brigade at seven the next morning, just as the latter was moving out of camp on its next day's march. All through the night we had been pulling wagons out of the mud, and only marching continuously for a few minutes at a time.

In all of the marches through Georgia and the Carolinas it was the custom in each division for the brigades in turn to have the advance. Similarly in each brigade the several regiments had the advance successively, and if an entire corps marched by one road

for several days the different divisions took their turn in the lead. The regiment that led the entire column had the easiest time of all, and the further you were in the rear, the slower and more tedious was the march. It was not unusual on special occasions in all active campaigns, to make twenty miles in a day and at times as much as twenty-five miles, but the rate of marching rarely exceeded two miles an hour. A single regiment marching by itself could make two and a half miles, but any more rapid rate meant a strung out column and straggling. In the well regulated marches of the western armies it was customary when the leading regiment of a brigade was halted for a rest, for the following regiments to file into fields on the side of the road, close up on the leading regiment and then move out successively at the end of the rest. In the first year of the war the marches were generally very badly conducted, owing to the inexperience of the mounted officers from the colonels up. It was a common thing for the commander of the leading regiment to start off at a three mile an hour gait, which would seem very moderate to him and to the leading files of the right company, but the rear of the regiment would be having to double quick part of the time to keep up, the column would be strung out to twice or more its normal length and the road would be lined with stragglers. Colonel Gordon, who was a nervous, impetuous man, though an able commander on the field of battle, did not at all times use good judgment in marching the regiment. He was always well mounted on a spirited, quick-stepping horse, and, starting on a march in the early morning, would often take a good three mile an hour gait, which the leading files and companies would keep up with fairly well for a time; but the rear companies would soon be in trouble, and the consequence would be much straggling. Lieutenant-Colonel Andrews and Major Dwight, from their positions in the rear of the regiment, profited by his errors, and were much better when at the head of the column; but the captains of companies who had learned their lesson by experience on foot, knew best of all how to conduct a march when they became mounted officers and in command. No one without actual experience can possibly understand how the slightest obstacle in the road, a small brook or fallen tree, will disorganize a marching column, and these are the occasions when a skilful officer at the head will understand how to conduct a march so as to have his men well closed up at all times, and not put too great a burden on the file closers. In considering the rate of marching of infantry, you have to bear in mind that each man in our war was carrying his rifle, about nine pounds, sixty rounds of ammunition, say five pounds, his equipments, a shelter tent, a blanket or overcoat, often an extra pair of shoes, and one to three days' rations

in his haversack, a canteen, a tin cup and frying pan; altogether twenty to twenty-five pounds.

In our experience we had many exceptional, long and hard marches. When Banks retreated from the Shenandoah Valley in May, 1862, we started from Strasburg at about 11 A. M. after being under arms at daylight, and reached the Potomac at Williamsport, about 10 or 11 o'clock the next night. Fighting all the afternoon and evening of the first day as rear guard, which saved our trains from Jackson, then after lying on our arms in front of Winchester for about three hours, going into battle at daylight for three or four hours, and then retreating to the river. The distance from Strasburg to the Potomac is fifty-six miles, but we covered two or three miles more in making an attack on the advance of the enemy at Kernstown.

The march from Winchester to the river was practically without a halt for the thirty-six miles, as the enemy was close behind for nearly the entire distance though his pursuit was not at all vigorous.

Truly yours,

C. F. MORSE.

Dr. GREEN communicated the following:

Since the last meeting of the Society Miss Harriet Elizabeth Freeman of this city has given to the Historical Library a diary kept by Joseph Emerson, Jr., a naval chaplain in the expedition against Louisburg in 1745. Mr. Emerson was a graduate of Harvard College in the Class of 1743, and nearly four years later, on February 25, 1746–47, was ordained as a minister over the Second Church of Christ in Groton, which previously had been set off as a precinct or parish; and afterward when it was incorporated as a district, it became known as Pepperrell. The ordination sermon was preached by his father, the Reverend Joseph Emerson, of Malden, and subsequently was printed. He took for his text: "Thou therefore, my son, be strong in the grace that is in Christ Jesus." 2 Tim. ii. 1.

Miss Freeman, who gave the diary, is a granddaughter of the Honorable James Lewis, of Pepperell, a prominent member of the Middlesex bar, who died in Boston, on February 6, 1845, at the age of sixty years. A long time ago I was told that there were other diaries kept by Mr. Emerson, which may be still in existence.

Some years ago I gave a copy of the ordination sermon to the Library, and the titlepage runs, line for line, as follows:

Advice of a Father to a Son engaging in the Work of the Evangelical Ministry:

A

SERMON

Preach'd at the Ordination

of the Reverend

Mr. *Joseph Emerson,*

To the Work of the Ministry, and Pastoral Office over the second Church of Christ in *Groton*, in the Province of the *Massachusett's-Bay*. *N. E.* on Wednesday, *Feb.* 25th. 1746, 7.

By His Father.

Pastor of the first Church of Christ in *Malden.*

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1 Chron. xxii. 11. *Now, my Son, the* Lord *be with thee, and prosper thou, and build the House of the* Lord *thy* God. *Be strong and of good Courage.*

Boston:

Printed and Sold by S. Kneeland and T. Green in Queen-Street. 1747.

Twenty years later the father died at Malden, on July 13, 1767, and then as a filial return for this act the son preached a sermon on his death.

On April 12, 1753, the Act was signed by Governor Shirley, making the second or west parish of Groton a district, which was the next step toward its final and complete separation from the mother town. At this period of time the Crown authorities were jealous of the growth of the popular party in the House of Representatives, and for that reason they frowned on every attempt to increase the number of its members. This fact had some connection with the tendency, which began to

crop out in Shirley's administration, to form districts instead of towns, thereby withholding their representation in the legislative body. At this time the west parish, now a district under political conditions somewhat changed, took the name of Pepperrell. It was so called after Sir William Pepperrell, who had successfully commanded the New England troops sent against Louisburg; and the name was suggested without doubt by Mr. Emerson, the diarist, who soon after his services as a chaplain in the navy was ordained as the first minister of the parish. At that time his associations with the commander were both fresh in his mind and pleasant in his memory. The hero of the capture of Louisburg always wrote his surname with a double "r"; and for many years the district and the town followed that way, and like him spelled the name with two "r"s, but gradually the town dropped one of these letters. It was near the beginning of the nineteenth century that the present form of the word became general.

Joseph Emerson was the eldest son of the Reverend Joseph and Mary (Moody) Emerson, of Malden, where he was born on August 25, 1724. He married, on December 12, 1750, Abigail, only daughter of Dr. William and Abigail (Boutwell) Hay, of Reading; and they were blessed with six children, — of whom the eldest child was a daughter, and the others were sons, — as follows: Mary, born October 19, 1751; William, born June, 1753, died October 17, 1753; Joseph, born October 11, 1754, died 1782; Samuel Moody, born September 13, 1757; Ebenezer, born November 28, 1762, died before 1782; and Joseph Sewall, born June 25, 1764, married May 27, 1792, first, Mary Jones, and, secondly, Phebe Wright.

Lilley Eaton, author of the History of Reading, in a note on page 91, makes a singular mistake when he records the birth of Samuel Moody as that of twins, named Samuel and Moody, and the birth of Joseph Sewall also as twins, named Joseph and Sewall.

Mr. Emerson's war record began as a chaplain in the navy, where for five months in the spring and summer of 1745 he served aboard the frigate "Molineux" during the siege of Louisburg.

For more than twenty-five years before the Revolution Joseph Emerson led the life of a country minister at Pepperell;

and during this period he performed the many and various duties which belong to the clerical office. In this capacity he became generally known in the surrounding towns and exerted a wide influence in the neighborhood. Like other ministers he married young couples and gave them good advice as they started out on their new career. He baptized the children, and entered the house of mourning where by his words he gave consolation to the kindred and friends. On all occasions he was ready to offer advice to the applicants, and he took an active interest in public affairs. He attended town-meetings and opened the business with prayer and played a prominent part in the settlement of all local questions. He believed in the direct efficacy of prayer and made his daily life conform to its power. Such was Mr. Emerson, and such were other ministers of that period.

Many years ago, when the question of abolishing compulsory prayers as a college exercise at Cambridge was under discussion before the Board of Harvard Overseers, naturally there was among the members a great diversity of opinion in regard to the proposed change. I remember well that on that occasion Mr. Ralph Waldo Emerson, then one of the Overseers, — who by the way was a nephew of the diarist, — made use of this expression: "Prayer to the Creator is the sublimest attitude that the human mind can take," and the words sunk deep in my memory. The power of prayer is gauged to-day largely by its subjective influence and from its metaphysical aspect; and it is not supposed to be a direct interposition of the Lord in the affairs of mankind. But not so was it a hundred and fifty years ago in the belief of the country minister, who was then a kind of papal autocrat in the rural village on all questions of religious belief. But whatever his peculiarities or idiosyncrasies were, we owe him today much for his personality and the pleasant influences he exerted in the various households where a visit by him left lasting effects. He was the centre of culture in the community, and a word from him always hit the mark. He was generally a college-bred man, and it was largely through his advice and suggestion that the supply of students at Harvard and Yale was kept up; and furthermore he was the one to fit them to pass examinations for entrance. Where there was no physician in town the minister

acted also as the doctor, and I am not prepared to say that his services were not equally successful in a medical capacity.

Joseph Emerson's father had a family of thirteen children, of whom Hannah, the eldest child, was born on December 3, 1722. She married on November 7, 1744, the Reverend Daniel Emerson, her father's cousin, who on April 20, 1743, was ordained at Hollis, New Hampshire, then known as Dunstable West Parish, where he continued as pastor for more than fifty years. Mrs. Emerson, Daniel's wife, like her mother, gave birth to thirteen children. Those were the days of large families, and men and women then did not believe in race-suicide. In early times the neighborhood of Hollis was called Nissitisset, an Indian word which in its application was rather indefinite and had no fixed limits. Under date of Friday, August 1, the diarist speaks of setting out from home for "Nisitisset," which place he reached on Saturday, the next day. In these entries he mentions several times his brother, a term which he uses probably in the Scriptural sense, as Daniel was a brother-in-law.

Soon after the formation of the Continental army at Cambridge in the spring of 1775, Mr. Emerson, the diarist, went there to visit some of his parishioners and other friends from neighboring towns — and he was widely known in Northern Middlesex County — who were serving in Colonel William Prescott's Regiment, then in the field. Colonel Prescott was a townsman and parishioner of Mr. Emerson, who during this visit to the camp took a severe cold which a few months later caused his death at Pepperell, on October 29, at the age of fifty-one years. Perhaps he died of tuberculosis, a disease of which he had never heard. He was the author of four printed sermons, of which the titles are given below. As literary performances they are above the average of similar productions of that period of time, and they reflect credit on the scholarship of the minister. Evidently he was a faithful servant of the Lord, and much beloved by the people in his charge.

The Fear of God, an Antidote against the Fear | of Man. | — | A | Sermon | Preached at Pepperrell, | May 7, 1758. | To | Capt. Thomas Lawrence, | And | Part of his Company of Soldiers: | Before their going out into public Service. | Published at the Desire of the Company: | To whom it is with Affection and Respect | Presented. | — | By Joseph Emerson, A. M. | Pastor of the Church

in Pepperrell. | — | [One line from Proverbs XXIX. 25; one line from same XXVIII. 14.] — || Boston: Printed by S. Kneeland, opposite the | Probate-Office, in Queen-Street. 1758.

A | Thanksgiving | Sermon, | Preach'd at Pepperrell, | January 3d 1760. | A Day set apart by the Church and | Congregation there: | To commemorate the Goodness of God to | them the Year past: | Especially | In the Removal of Sickness, and the Return of so | many Soldiers from the Army. | — | By Joseph Emerson, A. M. | Pastor of the Church there. | — | [3 lines from the Psalms.] | — || Boston: Printed and Sold by S. Kneeland, | in Queen-street, 1760. [The allusion to "the Removal of Sickness" is to the epidemic known as the Pepperell fever, which broke out in 1755 and raged for several years.]

A | Thanksgiving-Sermon | Preach'd at Pepperrell, | July 24th 1766. | A Day set apart by public Authority | As a Day of | Thanksgiving | On the Account of the Repeal | of the | Stamp-Act. | By Joseph Emerson, A. M. | Pastor of the Church there. | — | [Two lines from Psalms CXXIV. 7; one line from same LXXX. 18.] — || Boston: | Printed and Sold by Edes and Gill in Queen-Street, | 1766.

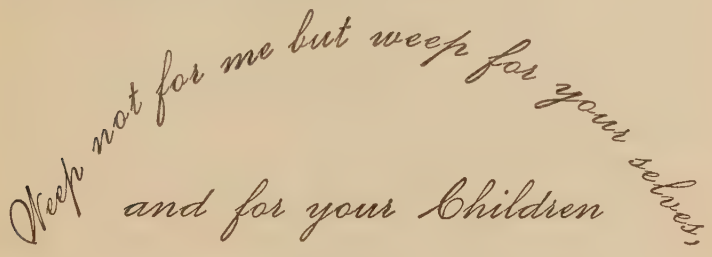
An | Extract | from a late | Sermon | On the Death of the Reverend | Mr. Joseph Emerson, | Pastor of the First Church in Malden, | Who Died very suddenly | On Monday Evening July 13th, 1767. | In the 68th Year of his Age. | Delivered at Malden, | By Joseph Emerson, A. M. | Pastor of the Church at Pepperrell. | — | [Two lines from Zechariah I. 5; one line from Malachi I. 6.] — || Boston: | Printed by Edes & Gill, for Bulkeley Emerson, | Of Newbury-Port, | 1767.

It is said by Mr. Butler, in his History of Groton (p. 317), that Mr. Emerson offered up before the troops the first prayer ever made in the American camp.

Mr. Emerson's brother-in-law Daniel was a graduate of Harvard College in the Class of 1739; and he died at Hollis, on September 30, 1801, after a long pastorate at the advanced age of eighty-five years. Hollis and Pepperell are contiguous towns, lying on the border line of two States, one town in New Hampshire and the other in Massachusetts.

The Reverend Joseph Emerson was buried in the old graveyard at Pepperell, where a suitable monument to his memory was erected by the town. It is in the shape of a tablet, and consists of a slate slab five and a half feet long,

three feet two inches wide, and three inches thick, lying parallel with the ground and resting on short granite blocks. The tablet bears the following inscription:



ERECTED
by the Town of Pepperrell
to the Memory
of the Revd. JOSEPH EMERSON
Ist. Paſtor of the Church here
who deceaſed Oct. 29th., 1775,
in the 52d. year of his Age,
and 29th. of his Miniſtry:
Stedfaſt in the Faith
once delivered to the Saints,
Fixed and laborious
in the cauſe of Chriſt & precious ſouls
Exemplary
in viſiting and ſympathizing
with his Flock,
Diligent in improving his Talents;
A kind Huſband, a tender Parent,
A faithful Reprover, a conſtant Friend,
and a true Patriot.
Having ceaſed from his Labours
his works follow him.

Mr. Emerson's widow died at Pepperell, on March 2, 1807, at the advanced age of eighty-nine years; and she lies buried in the tomb erected by the town to the memory of her husband.

A copy of the diary here follows, though a slight liberty has been taken with the writer's use of capitals and punctuation:

Journal of the Louisburg Expedition.

March. Frid 15 After waiting upon the Committee of War, I went on board the Molineux frigate, Cap: [Jonathan] Snelling; as chaplain for the expedition.

Sat 16. We sat sail about twelve; in company with Commodore [Edward] Tyng in a twenty gun ship & a Rhoad Island snow in order for the coast of Cape Breton.

Sab 17 I was very sea sick so I could not lead in the exercises of the day. We had a violent gale of wind.

Mun 18 Lost sight of the commodore & snow by reason of a fog. Still very sick. Obliged to keep my bed.

Tues 19 Got off Georgia's Banks, I began to recover something.

Wen 20 Got sight of the commodore. Just got well enough to pray with the ship's company which consists of 138 men.

Thu 21 This day we got so far as to coast of the harbour of Cape Breton, where we are ordered till the General comes down with the land forces.

Frid 22 Read a sermon or two in Mr. [George] Whitefield's sermons preached in Scotland.

Sat 23 Read two sermons in Mr. Whitefield but little opertunity for study on board. We live a rolling tumbling life.

Sab 24 I preached all day in the cabbin from watch therefore for ye know neither the day nor hour when the Son of Man will come.

Mun 25 I read three sermons of Mr. Whitefield's & sermon of Mr. [Thomas] Bradbury's.

Tues 26 Read 3 sermons of Mr. Bradbury's. 1 sermon of Mr. Tidcombe. We this day made what sail we could for Canso in order to meet the rest of the fleet.

Wen 27 We came into Canso harbour where we expected to meet the whole fleet but only we found two sloops, Cap: [David] Donohew commander of one of them who have been here two days, as they came down, they put in at Knowles Harbour where they took three Indians of the Cape Sable tribe. The stratigem he used in taking them was this, Cap: Donohew hoisted French colours in his own sloop; & French & English under them in the other sloop so that the Indians tho't it to be a French Man with his prize, and came on board to trade with them, where they were immediately clap'd in irons. I went on board to see them & went on shore to see the ruins of Canso a place which consisted

of about 50 families, the French destroyed & burnt the houses about 9 months ago, a melancholy specticle! I wrote two letters. By what we can learn by these Indians the French intend as soon as possible to besiege Port Royal they having got 5 or 600 hundred Indians at their command, we cant learn that the French know anything of our coming on this expedition to Cape Breton.

Thurs 28 We still lay in Canso harbour the weather being bad and unfit to put to sea. I wrote a letter or two, read some in [James] Keill's Anatomy.

Frid 29 I in the forenoon went on shore again to view the desolations Afternoon we sat sail for to cruise of the harbour of Cape Breton I was again sea sick.

Sat 30 I read some in Mr. [Thomas] Watson's Body of Divinity.

Sab 31 I preached all day from he who being often reproved hardeneth his neck shall suddenly be destroyed & that without remedy. Read some in Watson's Body of Divinity.

April. Mu 1 Read some in Watson's Body of Divinity. We gave chase all day to a vessel which at last put into Canso we then concluded her to be a friend, & the weather being very bad we could not get into the harbour we put off to sea.

Tues 2 Read all day in Watson. We got just into the harbour of Canso but was becalmed just before night wind contrary we again put out to sea. We see this day 17 Sail of transports into the harbour.

Wen 3 Contrary wind, we spoke with Cap. [Joseph] Smythrust [Smithers] & the Rhoad Island snow & ship. I read some in Watson.

Thurs 4 We beat to windward all day but could not get into the harbour. Some hints of a mutiny in the Ship.

Frid 5 We got in about 7 or 8 o'clock when we found the General with by far the greatest part of the fleet, a pleasant sight this! Before noon Cap. Fletcher who is in a brig, came in with a prize he took last Tuesday bound from Martinico to Cape Breton, a sloop loaded with rum & sugar. She informs of 4 more who came out with her or was to sail soon after. A counsel of war sat. We are ordered out immediately if the wind permit.

Sat 6 The Wind contrary, had an opertunity to send letters home by Cap. Fletchers Prize who is to sail in a few days for Boston. I spent chief of the afternoon on board Cap. Tyng with my classmate [Samuel] Fayerweather, & engaged him to preach for me tomorrow if we continue in the harbour.

Sab 7 Cap. Tyng this morning buried two of his men who died of a

fever, and one he buried before we came in, he has above 20 more sick on board. The wind fair. We sat sail for our station at the west of the harbour of Cape Breton. We were so busy in the forenoon, & I was so sea sick afternoon we could have no exercise this day. We are in company with Commodore Tyng.

Mun 8 I read some in Watson. Cap. Fletcher joyned us.

Tues 9 Read some in Watson. Bad weather we have met since we have been down about two foul days to one fair.

Wen 10 I was very much out of order having taken a great cold. The other cruisers joyned us, we are now 6 in number 3 ships 2 snows 1 brig.

Thurs 11 I read some Watson &c.

Frid 12 Still reading in Watson. A storm of snow very cold Weather.

Sat 13 Read some Watson, some rain with thunder.

Sab 14 I preached all day from as ye have therefore received Christ Jesus the Lord so walk ye in him.

Mun 15 We were all day encamped with vast cakes of ice some are judged to be near 50 foot thick.

Tues 16 Got out of the ice early in the morning, espied a sail gave chase presently it shot in thick with fog, presently providentially cleared of, we came up with the sail it proved a Martinico brig we took her she making no resistance we fired three guns at her. She was loaded with rum coffea &c. as near as we could reckon by envoice & the Captain's account, the ships cargo, with the Captains, & the ship, to be worth 25000 £. We found on board her 6 Englishmen one of them came with them from Martinico, the other 5 they took out of a scoonner fishing off Cape Sable. We have now in the Cabbin the Captain, a passenger bound from Martinico to Quebeck & a boy of about 12 of Age.

Wen 17 We met with a schooner who informed us Cap: Donohew had got 8 Indians more, & that the General proposes to sail tomorrow if wind & weather permit. This day died Bartholomy Green.

Thurs 18 As soon as it were light we retook a schooner which the brig took about a week ago which came out in consort with the brig we took the other day. As soon as we had secured the schooner we gave chase to the Brig & followed her all day & just before we came up with her Cap: Donohew took her. No sooner had we come up but we heard the report of large Canon we followed the sound & presently found Cap: Tyng with the Rhoad Island ship & snow engaged with the store ship as we supposed who mounts about 30 guns, we joyned the fight, she

run we followed & fire upon her till the darkness of the night parted us.

Frid 19 We are now in chase of her being 7 topsail vessels in company & two or three small vessels. We chased till noon then the Commodore ordered us with two other vessels to go & lay off the mouth of the harbour to prevent his geting in.

Sat 20 The ships returned to us with the melancholy news of the ships out going of them much that they were obliged to leave of chase. Cap: [John] Rouse got so near as to fire 115 shot bough chase at her and forced to leave her at last. We were so near as to hear guns from the fort of Cape Breton, saw the light house plain at night. This day died —— Gallop, after a short illness.

Sab 21 We saw a sail gave chase came up about 11 o'clock found her to be a sloop who just before we came up retook a schooner which the brig took some time ago from Boston with stores for the army & wine &c for the General. We were so busy we could not have any preaching.

Mun 22 I went on board the Commodore with Cap: Snelling & dined there the wind blowing very fresh great sea we narrowly escaped being drowning or the boats filling at least. This day we could see the walls of Cape Briton and with a glass plainly distinguish the houses & church.

Tues 24 There came down to us this morning Commodore Warren with three Men of War. Cap: Fletcher took a schooner loaded with wood, the men got into their boat & escaped to shore. Cap: T[h]ompson drove a shore a sloop loaded with wood, the men ran into the woods. There was also a shallop taken in the afternoon.

THE NUMBER OF THE FLEET.

	Names	Men	Gun	Commander		Rate
1	Superbe	415	60	Peter Warren [Commodore] [Richard] Tedderman	Ship	4
2	Eltham	250	40	[Philip] Durell	Ship	5
3	Mermaid	250	40	[James] Duglass	Ship	5
4	La[u]nceston	250	40	[W.] Calmady	Ship	5
5	Masachusetts	150	20	Edward Tyng	Ship	–
6	Molineux	150	20	Jonathan Snelling	Ship	–
7	Fame	150	20	[T[h]ompson]	Ship	–
8	Prince of Orange	80	14	[Joseph] Smythrust [Smithers]	Snow	–
9	Boston Pacquet		12	[ ] Fletcher	Brig	

10	Sherley	150	20	[John] Rouse	Snow	–
11	Cæsar	70	14	[George] Griffith	Snow	–
12	Bien Aime	140	30	[Clark] Gatham [Gayton]	Ship	6
13	Princess Mary	450	60	[ ] Edwards	Ship	4
14	Vigilance	450	60		Ship	4
15	Coumberland [Sunderland]	450	60		Ship	4
16	Canterbury	450	60	[Hore]	Ship	4
17	Chester	350	50	[Geary]	Ship	5
18	Hector	300	40	[Cornwall]	Ship	5
19	Wager	150	20		Ship	7

Thurs 25 We received advice from the General that one of our Privitier sloops was taken a few days ago by a 30 gun ship to the westward of Canso. We also hear the forces from Coniticut & Rhoad Island were ready to sail.

Frid 26 The weather bad we made the land but once.

Sat 27 Cleared off, we came & lay too at the eastward of Cape Briton nigh the light house. Saw three topsail vessels in the harbour.

Sab 28 I preached all day from as ye have received **X** Jesus the Lord. We heard that Cap. Tyng engaged two days ago a ship who French killed one of his men. Foggy night coming on they got away.

Mun 29 We had the pleasure of meeting the General with the whole fleet the forces from Conniticutt & Rhoad Island all came down about 9 leagues from Cape Br[eton]. We made sail in the night to lie off the harbour in the morning.

Tues 30 We chased a ship all the forenoon & took her, found her loaded with provision for Cape Briton. I am very much out of order with a flux.

May. Wen 1 The General with the forces landed yesterday at Cabaroose [Gabarus] Bay the French came down & opposed our landing. They fired upon them from the shipping killed their captain the rest presently fled.

Thurs 2 Last night a detachment of sollidiers went & beset the Royal Battery & made the French forsake it having first stoped all their Cannon & breaking to pieces their Carages.

Frid 3 The English got clear two or three of the Cannon in the grand battery.

Sat 4 We hear them fire all day from one Fort upon another. By a diserter we learn there is near two thousand men in the town. All the ships drew up in line of battel at the mouth of the harbour as if we intended immediately to beset them by sea.

Sab 5 I have kept my bed this is the 4th day with a fever & flux.

Mun 6 A little better we lay off & on near enough to see them continually fighting.

Tues 7 Of & on Louisbourg, heard very smart firing morning & night.

Wen 8 We lost sight of land by fog. I am considerably better.

Thurs 9 Still in fog heard the report of several guns.

Frid 10 The fog cleared off but violent gales of wind & contrary we could not get up to our station we see fireing on shore.

Sat 11 Still hard gales of wind all day and very cold snowy squalls. (Swallow)

Sab 12 We met with Cap: Tyng who has been with a man of war and burnt a town to the eastward of Louisburg consisting of 48 houses & a chh. 40 of the inhabitants went for Louisburg two or three days before, the rest ran away & left their houses to the mercy of the English who presently burnt them all. Cap: Tyng in a foggy night ran a board one of the men of war & lost his Boalsplit &c.

Mun 13 We spoke with Cap: Gatham [Gayton] in a 20 gun ship man of war. He come from Boston a few days ago.

Tues 14 Very great storm of wind & rain the worst we have had since our coming out.

Wen 15 The storm cleared of a clear day but very cold contrary wind. We cannot get yet to Louisbourg.

Thur 16 So little wind we could not get to the harbour. We hear by a snow come down with provisions that there is two French ships cruising off Canso picking up every one they can, the snow her self narrowly escaped.

Frid 17 We got off the harbour, we heard from shore they have got little or no advantage against them. Since we were seperated, one snow escaped us & got in. They took the light house where were 25 canon sunk. The Commodore has sent to Boston for two men of war, we hear have arrived one of 60, the other of 40 guns as also to Newfoundland for all the men of war there except one 20 gun ship to protect the fishery. They have two or three fashion [fascine] batteries finished near the town & have battered the walls very much.

Sat 18 We were very near the town and it appears an exceeding strong place by far the strongest in all America. They fire briskly on shore.

Sab 19 The Rhoad Island privateer has took a brig: by whom we hear that there is expected 5 sail of men of war, 1 of 72, 1 of 50, 1 of 30, and two of 20 guns. We went into Cabaroose Bay where lay all the transports, in order to wood & water. Yesterday came in Cap: Fletcher & sent his men a shoar to get water. The Indians came down & barbarously killed ten men scalped three & run off: the English on shore have had several little scurmishes with French & Indians, 100 went out of the town & come round & engaged a company of English for a little time but they presently put them to rout took one prisoner from whom they could get no inteligence of the state of the town. We have lost about 30 men, many are sick in the Camp. They fire upon the town from five diferent places they have beat down the bridge as also the n. west gate.

20 We hear that they have destroyed another town to the eastward of Louisbourg & burnt 80 houses. Heard that yesterday presently after we came into the bay the Commodore gave chase to a large ship & came up with her & fired several broad sides.

Tues 21 We came out of the Bay. We heard the joyful news of the large ship being taken. She mounts 64 guns, her lower tear 27 pounders her upper 13; 500 on board. The Commodore killed 60 French Men & wounded near as many more, but one Englishmen killed, several slightly wounded. They engaged 3 hours, struck at 10 o'clock at night She is a very rich prize, she has 1000 barrels of powder & 40 canon, 42 poundes for Louisburg. The Captains plait in his cabin is worth 5000 £ starling. A few days ago she took two ships from Carolina. Very bad government on shore in the Camp. (Warren Stormed Stormed Isl Battery) In the afternoon it was extreem foggy the Launceston run on board us we expected no other than immediately to have foundered but we happily got off. At the same time Cap: Snelling was on board the Commodore, his barge at the Commodore's stern filled one or two of our men narrowly escaped being drowned. We hear that there expected hourly from London 12 sail of men of war & 4000 soldiers.

Wen 22 There came & joyned us a 60 gun ship last from Boston.

Thurs 23 In the evening the Commodore ordered all the boat to come on board man & armed, we sent 30 out of our ship.

Frid 24 Last night the Commodore sent several hundred saylors on shore to joyn the land forces in order to storm the Island Battery, but thro' the misconduct of the said office[r]s they never landed on the Island. Then joyned us a 40 gun ship last from Boston.

25 26 Little or nothing done.

27 28 Foggy weather we saw nor heard any news.

Wen 29 We heard they have made 5 attempts to storm the Is: Battery the last time was on last Sabbath day night when 154 men we hear, was killed drowned & taken, as also two days ago the Indians killed 9 of our men & buried them & then at the instigation of the French they dug them up & burnt them.

Thur 30 I went with the Captain on board Cap: Tyng. From account from shore treachery is whispered thro' the whole camp.

Frid 31 We hear that Indians & French have again besieged Anapolis Roy[al]. From all accounts from shore we learn the men are prodigiously discouraged.

June. Sat 1 Foggy we could hear & see little or nothing.

Sab 2 I preached from neither is there salvation in any other. We were ordered by the Commodore to chase to the eastward with other ships.

Mun 3 We heard that a few days ago a woman deserted from the town. She says they are greatly distressed & that the women come daily to the Governor with their children in their arms to beseech him to deliver up the town who tell them tis as much as his life is worth. Also in the house where she was there came in a bullet & killed 3 gentlemen as they sat at dinner. We also hear that a bumb coming from the town fell near one of our soldiers & one of the pieces struck his cloathes, which greatly disp[l]eased him & he went and stood without the fachin battery & never ceased firing till he had killed five men of the walls.

Tues 4 We saw a sail & gave chase: the Princess Mary a 60 gun ship out went us & came up first & retook a ship one of the ships the 60 gun ship took about 6 weeks ago. She has on board 950 barrels of rice & some lignum vitæ &c. The generous Commodore gave the English captain his ship.

Wen 5 We received orders from the Commodore to proceed to Chabarouge Bay & take in 150 French Men & proceed to Boston the first opertunity.

Thurs 6 We hear a few days ago Cap: Griffith took a sloop bound from Canada loaded flour & other provision, & also that Cap: [W.] Montigue who is now captain of the Mermaid took a brig in the fogg.

Frid 7 I went with Cap: Snelling to the camp, dined with the General who seems to be in pretty high spirits. There is in the army 2902 well men we hear they took captive at the Island Battery of our English, by the deserters we learn the town is in pretty miserable circumstances.

Sat 8 Sab 9 Preparing to sail. We have got on board 143 French Men 8 who mess with the Captain.

Mun 10 We sail out of Chabarouge Bay to the Commodore to whom has arrived a 50 gun ship from England who came out with two other ships of the line who we expect every minute. We sail with 28 other vessels great & small for Boston under the convoy of Cap: Gayton; a fair wind.

T 11 W 12 Th 13 F 14 We had very good weather, what wind we had. Fair. Sea calm, little foggs.

15 16 We [had] good wind & fair weather.

Mun 17 We came in the first of the fleet at Nantasket to an anchor at 8 o'clock at night. At 9 the captain took his boat & I with him for Boston loosing our way we rowed all night long, & after a very tedious time indeed for it thundered & lightned & rained excessive hard the greatest part of the night we arrived safe at Boston by day light.

Tues 18 I went over to Malden found the family well.

Wen 19 I visited several of my friends & went to lecture.

Thurs 20 I went to Boston where I heard that Cap: Snelling is ordered back to Cape Briton with powder & soldiers & to sail as soon as possible.

Frid. 21 I went to Cambridge & heard the valedictory oration [on Commencement day] pronounced by Sir [Arnold] Well[e]s.[1] Saw several of my friends. I went over to Mistick [Medford] heard my father preach a lecture.

Sat 22 I went over to Boston in order to return on board Cap: Snelling found him not quite ready

[1] The title of "Sir" was given to graduates who were intending to take their second degree. At this period of time the names of graduates were arranged in the Triennial catalogue according to social rank; and Arnold Welles (H. C. 1745) appears at the head of his class.

Sab 23 Heard Mr. Webb[1] preach in the forenoon, afternoon I went down to Nantasket where our ship lies with Doctor [William] Hay who is now going as our doctor at least for the passage down.

Mun 24 Took in soldiers for Cape Briton & received order from the Governour for sailing.

Tues 25 We sailed from Nantasket early in the morning & was forced to tow out the ship after we had some wind. Mr. Williams[2] of Springfield came on board us as Chaplain for the recruits,[3] he preached on board us in the afternoon or rather expounded the 10 Chap: of 2 Samll. We have on board 110 soldiers with Col: Williams.[4]

Wen 26 Contrary winds till afternoon then we had a fine wind.

Thu 27 A charming wind fair & enough of it. We have one schooner & one sloop under convoy.

Frid 28 Very little wind all day. Mr. Williams expounded in the afternoon some part of 1 Chron: 5.

Sat 29 We lost sight of the schooner & sloop in a thunder shower & squals of wind.

Sab 30 I preached A:M: & Mr. Williams P:M: calm all Day.

July. Mun 1 We made the land & as we suppose Canso.

Tues 2 Abundance of fogg. Saw the land again which we suppose to be Sainte essprit 3 leagues to the westward of Louisbourg. Presently sat in very foggy.

Wen 3 We saw the land & to our surprise found our selves 10 leagues to eastward of Louisbourg. We had a strong gale of wind & then extreem foggy.

Thu 4 We meet with a schooner who came out from Boston two days after us, who has soldiers on board, from him & a charming day we find we have been very much out of the way & we are now 20 leagues to the westward of Louisbourg. We tack & changed our course.

Frid 5 Fair wind chief of the day. We made the Island of Cape Breton.

[1] Rev. John Webb (H. C. 1708), ordained first minister of the New North Church, Boston, on October 20, 1714; died on April 16, 1750.

[2] Rev. Stephen Williams (H. C. 1713), ordained minister of the Church in that part of Springfield known as Longmeadow, on October 17, 1716; died on June 10, 1782.

[3] A vote was passed by the General Court on June 19, "for enlisting 600 recruits for the Army at Cape Breton." — *Mass. Province Laws*, XIII. 473.

[4] Col. William Williams (H. C. 1729); died at Pittsfield, April 5, 1784.

Sat 6 At 3 o'clock in the morning we met with the Chester a 50 gun ship who to our great & inexpressable joy told us that the city of Louisbourg resigned to the noble General Pepperrel on the 17 of June. We came to an anchor in the harbour about 5 o'clock in the afternoon, I went a shore at the grand Battery which is an exceeding strong garrison, there is 32 ambizeers [embrasures] for cannon.

Sab 7 I went to the city which is exceeding strong the walls are almost 30 feet hight & 20 thick, the houses & wall is shattered exceedingly above 6000 shot took place & did execution. I heard my grandfather [Samuel Moody, of York,] preach in the forenoon in the King's Chapail, & Rector [Elisha] Williams in the afternoon. There is in the town 148 ambizeers.

N. B: when we entered the city there were just 154 killed & dead.

Mun 8 I went to the Island Battery where are 30 ambizeers & almost as strong as nature & art can make it. It received great damage from the bums & shot from the fachion battery at the light house. I went on shore every day this week & viewed as much as I could, by the best account we can get we kill[ed] during the siege near 400 men, & multitudes of women & children died thro' the inconvenience of their lodging being obliged to lie under ground. The French say God almighty fought for us.

Sab 14 I heard in the forenoon at the city Mr. [Stephen] Williams who came down with us from Boston, P: M: Mr [Samuel] Fayerweather.

Mun 15 We are preparing to sail for Boston as soon as possible.

Wen 17 We sailed from Louisbourg about 10 o'clock in the morning with 150 French Men, women & children & soldiers.

Thurs 18 Contrary wind all day we reached as far as White Head, at night we had a strong gale of wind & squals.

Frid 19 Very windy & squaly & inconstant in the forenoon & afternoon very foggy, at night about 12 o'clock we ran foul of a sloop & did her some dammage she leaving some of her rigging behind her the weather so thick we had opertunity but just to ask her from whence she came? From Boston to Newfoundland.

Sat 20 Foggy weather no signs of fair wind or weather till night then some hope.

Sab 21 Still foul wind. I preached all day from the Lord hath done great things for whereof we are glad.

Mun 22 Foul wind till just before night then very fair light brizes. We made the land suppose it to be English Harbour.

Tues 23 A very fair wind, P: M: very good brize.

Wen 24 In forenoon very calm very foggy afternoon considerable wind but contrary. In the fogg we ran very near the Shoar before we could see it, it appeared not further than a cables length, we happily got off.

Thurs 24 Had a pretty good gale foggy not very fair. We made Cape Negro about 10 leagues to the eastward of Cape Sable we met with a sloop who has been out 13 days from Louisbourg.

Frid 25 We sounded in the morning and reckoned our selves to be abreast of Seal Island which is about 100 leagues to the eastward of Boston. A fair Wind all Day.

Sat 26 A fair wind all day & very pleasant weather very light brizes afternoon we got but little a head then. We catched a great many maccarel.

Sab 27 A charming wind. I preached all day from neither is there salvation in any other. About 9 o'clock at night we made the light house.

Mun 28 We got in to an anchor about 2 o'clock in the morning a rainy day chief of the day. I went home to my father found the family my father is gone to Nisitisset [Hollis, N. H.].

Tues 29 Visited several of my friends.

Wen 30 I went to Boston & fetched my things from on board the ship returned to Malden & preached my fathers Lecture from the Lord hath done great things for us.

Thurs 31 I went with some company down to Lynn beech.

August. Frid 1 I sat out for Nisitisset met my father at Mr. Hobbies [Rev. William Hobby] at Reading, dined at Mr. Jonathan Eatons lodged at Mr. Bridgs [Rev. Ebenezer Bridge] at Chelmsford.

Sat 2 I went forward on my journey dined at Coll: Tyngs, got to my brothers before night.

Sab 3 My brother preached in the forenoon from Oh that there was such an heart in you & I. In the afternoon from the Lord hath done great things for us whereof we are glad.

Mun 4 I visited some of the Neighbours.

Tues 5 I rode about 7 miles with my brother & preached a lecture from Proverbs 29: 1.

Wen 6 Sat out very early for home came to Nashuaw River which was risen so I could not ford it but was obliged to go by Groton

[where there is a bridge], dined at Major Stoddard at Chelmsford, got to my uncle Emersons at Reading in the evening & there lodged.

Thurs 7 I visited a friend or two dined at Mr. Hobby's, got to Malden.

Frid 8 I went to Boston heard that our ship is discharged the service of the Government.

Sab 10 Mr. Cheever preach'd A:M: upon original sin, P:M: upon justification.

Wen 13 Lecture Mr. McGregory preached.

Thurs 14 I went to Boston heard Mr. Clark preach the publick lecture.

From the Savage Papers Mr. Ford presented the following two letters:

Timothy Parsons to Samuel P. Savage.

Pownalboro, April 12th, 1779.

Dear Sir, — I have Got the Boards for You that I think will answer Your purpos Shall Send them the next trip by Capt. Cunningham the bearer of this Shall procuere the Smokd Salmon as Soon as they Can be got which will be in May.

The distress of the people in this place is Very Great Above One half the famalies in this place have lived intierly without bread for Upwards of A month pasd. their whole Sustenance has been from the Clambancks and Small fish that they Can gett in the River, not having pork or any Kind of fatt to Season Said fish or any Kind of Eatables whatever A general Relaxation Attends them; well harty Men Are brought to Meare Skeletons being hardly Able to Crawl Abouts; Sum have dyed, A number of others Lay helpless for want of proper Sustenance; and a general indolent Stupor Seems to Attend them. they having no Seads of Any Kinds to put in the Ground this Spring; Numbers are removing from this to the westward and Elsewhere in hope to Geet where they Can Geet bread Sum have Sold there places that would fetch them 150£ L My. Six Years Agoe places that they Could Keepe ten head of horne Cattle besides Sheep, for less than the price of thirty bushels of Corne Sir if there Can be no way found out whereby the people Can Get Sead to put in the Ground the place Must brake up. I am in hopes of Sum Releife from what incoragement You Gave Me that You would Send Me All the Corne and potaters You Could

possible Spare. A few bushels will be Sum releefe Potaters are as much wanted for Sead as Corne is for bread Sir if you can send me a bushel or two of Sead Barly it would be a great favour Any Pay You Shall Command Either Silver or Paper Money or any Kind of Lumber You May want I will Send You for the Above Article.

Sir I am with Respect. Your Very Humble Sert.

TIMOTHY PARSONS.

Sir if You Could Send any Corne or potaters by Capt. Cuningham this time it would increase the favour as they are wanted for Sead.

T. P.

THOMAS FREDERICK JACKSON TO WENSLEY HOBBY.

BEDFORD, September 3rd. 1780.

DEAR SIR, — I have waited with great impatience for an agreeable subject to open my new Correspondence with you; that is from the principles of humble submission and passive obedience; to Martial Acts of the Field; but more of the former is to be met with here, than the latter. The Close Conduct the Enemy observes during the present Campaign renders our Situation, tedious, Irksome and disagreeable; frought with every inconvenience of Life, and perplexed with a thousand troubles, some that excites the warmest pity, and others the most agravating; Colo. Delancy has Collected at Westchester about 200 of the Tagg, Rag and Bob Tails of the Earth. An abstract of all the Villany the Human Composition can contain, Concentre's in this his Majesty's *Boasted Corps of Royal Refugees*; they lay under Cover of the Troops at the Ridge, and come out by 2 and 3 in peasants Dress, and steal and Robb Horses and Cattle where ever they meet them, add to this every kind of Villany that can distinguish Characters bless'd with such fine principles. the Country is finely Form'd by Nature to their purpose and improv'd by a sett of Inhabitants whose Mercenary Hearts biass them in their favour; the sufferings of the few good Inhabitants, would melt a Common Heart to a Lamb, while the Author makes the Timid Madd. They are as hard to Catch as a Fox, however we have taken a Number of them, some of them are hanged and other under the awfull sentance of the Gallows; what keen reflection must their horrid Hearts feel, in the intermediate space from the sentance to the Gallows. The British have never once came out in small Parties, nor in a Body that We could Act against. they came to East Chester once about 10 Thd., a Force to Formidable for the 2nd. Regt. to Act against. We have never seen a British soldier since we took the Field, except deserters, and only

one party of the Cow Boys in Force; Mr. Frink with 16 Men whom I chaced 5 or 6 Miles with inferior numbers. They being on picked Horses, could not overtake them, wch. Mortifyed my young Ambition no little. Our Horses are Worn down scouring this Country. We are now preparing to move a little back to Recruit the Horses; so that they may be able to Act should *Monsieur* come on, which I ardently pray for; that I may be pleased with a prospect of going home and I hope furnished with agreeable New Subjects to communicate to you every Day; happy should I be in this Situation; and happy I dare say you would be in such a Correspondence with a Transmogrifyed Quaker to a Soldier. I should be happy to hear from you; my Friends I believe have all forgot me, As I never hear from them. What I have done, I know not, that at once should loose them all; I wish some Friend would be so kind as to let me know. I have wrote many Letters, but never received One from your Quarter. I can get Letters any time from Genl. Arnold or from Mr. Burs at New Haven, directed to be forwarded by Express Dragoons stationed there. Genl. Wa[shing]ton with the Main Army has been down to Powles Hook and with the Army took a Peep at New York, but did nothing as We hear. I have been introduced to His Excellency, and that is a pleasure worth the service of one Campaign. I now write in greate Haste, the Storm beating on one end of the Table, while I write [on] the other; could I have lodging equal to the Carpet in your Chamber it would be the heights of delight. I have not had my Boo[ts] off seven nights in camp since I left Kensington. I am in haste, with sentiments of the greatest Esteem to you and Family, and Compliments to all Friends

Your Sincere Friend and Humble Servant

THOS. FREDK. JACKSON.

Remarks were made during the meeting by the PRESIDENT and Mr. BOWDITCH.

NOVEMBER MEETING

THE stated meeting was held on Thursday, the 10th instant, at three o'clock, P. M.; the PRESIDENT in the chair.

The record of the last meeting was read and approved; and the Librarian read the list of donors to the Library during the last month.

The Corresponding Secretary reported the receipt of a letter from Curtis Guild, Jr., accepting his election as a Resident Member of the Society.

The Cabinet-Keeper reported gifts to the Society, of twenty-one engravings of Massachusetts persons, by Francis H. Brown; of a photogravure of Stuart's painting of Washington at Dorchester Heights, March 17, 1776, by the Massachusetts Society of Sons of the Revolution; of an engraving of William Pynchon, by J. A. J. Wilcox, the engraver; of twenty-nine Confederate War Etchings, made by Dr. A. J. Volck, of Baltimore, by William P. Palmer; of a souvenir plate made at the Wedgwood pottery, commemorative of the one hundredth anniversary of the establishment, by Otis Norcross in 1810, of the business now of Jones, McDuffie and Stratton Company; of five large framed lithographs of Clay, Jackson, Lafayette, Sumner, and Webster; of a framed photogravure of Stuart's (Athenæum) portrait of Washington; and of envelopes bearing Union devices issued during the Civil War, by Mr. Norcross. He also reported the deposit, by Roger Wolcott, of a lock of hair of George Washington, and one of Martha Washington, given by Mrs. Washington to Mrs. Oliver Wolcott in 1797.

Frederick Jackson Turner, of Cambridge, was elected a Resident Member of the Society, and Charles William Chadwick Oman, of Oxford, England, a Corresponding Member.

The PRESIDENT reported from the Council the assignment of the preparation of the memoir of our late associate John Noble to Mr. Rantoul; and that of Josiah P. Quincy to Mr. Howe.

The Editor announced the deposit in the Society, by Roger Wolcott, of manuscript material relating to the Wolcott and Huntington families of Connecticut. These manuscripts are chiefly letters that passed among the members of the Huntington family during the War of Independence, and the full accounts covering the construction of an armed vessel or privateer in that war.

The PRESIDENT then said:

Since our October meeting, two vacancies have arisen in our Resident roll. I have to announce the death of Morton Dexter, which occurred suddenly, though not without the premonition of ill health, at Edgartown on Saturday, October 29; also the death of Josiah Phillips Quincy, at his residence in this city two days later, on the afternoon of Monday, October 31. The Resident roll is thus reduced to ninety-six; at the time of his death Mr. Dexter, elected at the March meeting of 1895, stood thirty-third upon it in order of seniority, while the name of Mr. Quincy, elected at the May meeting of 1865, stood second, coming next to that of Dr. Green. Chosen a member at the meeting of the Society next preceding that of my first becoming its President, Mr. Dexter was elected in time to remember our former habitation in Tremont Street and the original Dowse-room with its outlook on the tombs of John Winthrop and John Cotton in the adjoining King's Chapel burying-ground. The Society held its last meeting there in April, 1897 — its Annual Meeting; Mr. Dexter was, therefore, one of those now composing a small and rapidly diminishing minority of our present active membership — a minority reduced already to less than one-third of the whole. Thirty years the senior of Mr. Dexter in membership of the Society, Mr. Quincy was elected at the meeting which immediately succeeded the dramatic closing of the War of Secession in April, 1865; and, glancing over the report of that meeting in our printed *Proceedings*, I find myself carried very far back by the names of those who took active part therein. Mr. Winthrop, then President, occupied the chair, and Dr. Holmes and Mr. Savage spoke on the commemoration of the six hundredth anniversary of the birth of Dante, then being generally observed in Italy. Of those present Dr. Green alone remains.

The custom is now tolerably well established that, when

announcing here the death of a member, the presiding officer confines himself to a bare statement of that member's connection with the Society and contributions to it, leaving to others any tribute to be paid or characterization offered. Following this practice, I have now merely to say that Mr. Dexter was when elected a man of fifty, and became almost immediately an active and contributing member. Recorded as present at eighty-five of the one hundred and thirty-eight meetings of the Society held during his membership, in 1898 he became a member of the Council, and served as such for three years. He also served on various committees, besides preparing memoirs of E. G. Porter and J. E. Sanford. In October, 1901, he represented the Society as its delegate at the four hundred and fiftieth anniversary of the founding of the University of Glasgow. Finally, he was one of the special committee recently appointed to supervise the memorial publication of the Bradford history and papers now in course of preparation. For this last work he was peculiarly qualified both by disposition and training, and his death creates a void not easily filled. I have invited Mr. Franklin B. Dexter, of New Haven, a Corresponding Member of the Society, to be present on this occasion and offer a tribute to his kinsman and friend, and shall presently call upon him. To Mr. Dexter will also be assigned the preparation of a memoir.

It remains for me to speak of Mr. Quincy. Of him it may almost be said that his death comes very near to marking the close of an epoch in our history, for the name of Quincy with him disappears from a roll on which, with one very brief interval of ten months only, it has stood for one hundred and fourteen years. The membership of the Winthrop family only has been more continuous; for Josiah Quincy, third of the name, elected July 26, 1796, did not die until July 1, 1864; and his grandson, whose death I to-day announce, was, as I have already said, elected on the 11th of the following May. Mr. Quincy was always an active member of the Society. A frequent, if not a regular attendant at its meetings, he served two years (1889–1891) on the Council and at other times on various committees. He prepared memoirs of T. H. Webb (1882), of R. C. Waterston (1893), of O. B. Frothingham (1896), and of Edmund Quincy (1904).

Of Mr. Quincy I had intended to say more, offering a characterization; for, though the names of three others of the Harvard class of 1850 appear on our Resident roll, one of whom (Mr. T. J. Coolidge) still survives, I cannot but fancy that I am by family connection and tradition, as well as by long personal acquaintance, as well qualified to speak understandingly on the subject as any one likely to be present. I feel, however, debarred from so doing; for, on the day following Mr. Quincy's funeral, a brief, sealed communication, found among the papers on his desk, addressed to the President of the Massachusetts Historical Society, was sent to my office by his son, and in this he earnestly requested that the observance usual here on the death of a member might in his case be, as it was expressed, "indefinitely postponed." This request of Mr. Quincy's will, of course, so far as the present occasion is concerned, be respected, and I shall neither myself say, nor call upon another to say, anything more. It is otherwise, however, as respects the preparation of the usual formal memoir, to appear with his portrait in our printed *Proceedings*. His *post mortem* communication might possibly be construed to cover that also; but I do not think it was so intended. And, moreover, on that head other points, as well as the views and wishes of other persons, are to be considered.

And this suggests a matter concerning which I am not at all unwilling now to go upon record. I have frequently heard it urged that too large a portion of our printed volumes of *Proceedings* is devoted to memoirs and tributes to deceased members. Anything, of course, can be carried to excess; and, perhaps, in times past this custom may in individual cases have with us been carried too far; but I do not think such is now the case. I, in fact, regard the memoirs and tributes to our deceased members as the most unique and by no means the least valuable part of our record. With us in America the time has not come, but I feel sure it will come, when the high standard of biographical dictionary work set for other countries in the British *Dictionary of National Biography* will produce its results. At present all our American biographical dictionaries — one of the more important portions of the historical record — are wretchedly inadequate. Mere publishing-house ventures, purely mercantile in make-up, they are both

imperfect and unreliable. Mr. Stephen, as he then was, — afterwards Sir Leslie Stephen, — established in the Smith compilation a model we have been slow to imitate. When, however, in the fulness of time, such a work is at last undertaken, to include all American biography, there are few sources to which the compiler will have more constant recourse than to our body of memoirs, amounting now, I should suppose, to between 300 and 400, — a mass of information otherwise practically inaccessible, if not irrevocably lost.

Neither do I think that our habit of offering a tribute or characterization, in addition to the memoir, is in any way a mistake, or, as a rule, has been carried in our recent practice to excess. The memoir can be prepared by almost any one who has access to papers and documents. The tribute or characterization, however, is something which goes, so to speak, to the heart of the matter, and can only be adequately offered by some one familiarly acquainted with him who is gone, and able to speak of him from personal knowledge. Memoir and characterization, therefore, throw light upon each other. Sometimes we have combined them; and this, wherever practicable, appears to me to be a judicious practice. As presiding officer of the Society I have encouraged and facilitated it wherever and whenever the opportunity offered. Not infrequently, however, it is, for one reason or another, necessary that, while the tribute is paid, or characterization offered, by one person, the memoir can best be prepared by some other, not necessarily even a member of the Society. The only thing I would insist upon, and have frequently suggested, is that the characterization be limited, save in most exceptional cases, to ten minutes' utterance, so as not to interfere with the more elaborate memoir, or with the other business connected with our sessions.

Applying these general principles to the present case, while, in accordance with the request of Mr. Quincy, I now omit all effort at characterization, though I do so with regret, — for Mr. Quincy was in many respects an interesting personality, — yet it does not seem to me right that no memoir of him should be found in our printed record. It is to be remembered that Mr. Quincy was a member of one of those American families

which have the longer and the more creditable records. Few, indeed, could be named which would take precedence in these respects of the Quincys. The record, too, has been continuous through at least six generations. I should regard it as a misfortune if, at some future time, when our *Dictionary of National Biography* shall be prepared, a missing link should be found in the case of our late member in the Quincy family record. Indeed, Mr. Quincy's desire to the contrary notwithstanding, no such hiatus would exist. The investigator would merely be thrown back on contemporaneous newspaper reports. From that point of view, it is, of course, infinitely better that something authentic should be on file. These conclusions, I have also reason to believe, accord with the feelings of Mr. Quincy's immediate family. While, therefore, no further characterization of him will be offered at this time, the preparation of his memoir, on behalf of the Society, will be assigned to his son-in-law, our associate Mr. M. A. De Wolfe Howe.

Mr. DEXTER read the following paper:

In response, Mr. President, to your invitation, I have come to offer the tribute of an old friend to Mr. Dexter's memory. Indeed, unless some contemporary of his in the Roxbury Latin School is here, I may perhaps claim to have known him longer than any one in this company.

My recollections date from his coming to Yale in 1863, forty-seven years ago, at the age of seventeen; and he was then the same in nature and character, amiable, generous, enthusiastic, that he was ever after. An acquaintance with his father, due to common historical interests rather than to a very distant kinship, was the basis of our friendship; and I am glad to remember that the fact that I was for two considerable periods, in his freshman and again in his junior year, a young and immature tutor of his class, did not interrupt it.

In college he maintained a creditable standing in all respects, though distinguished rather as a writer than as a scholar; and he was socially prominent among his classmates.

Devotion to his father, and readiness to tread in his father's footsteps, were no doubt in part the ground of his choice of a profession, and so having enjoyed an unusually prolonged period of study and travel, he entered on the Christian ministry;

but after a single pastorate, lasting for over five years, in a somewhat difficult field, he — again following his father's example — resigned the ministry, and for twenty-three years pursued the career of an editor in the office of the *Congregationalist*, of which his father had long been editor-in-chief and the principal proprietor. Here, until after Dr. Dexter's death in 1890, he gave himself mainly and increasingly to the department of book-reviews, and apparently to himself and to others his interest and his power lay in the direction of literary criticism.

But after 1890 circumstances led him to another field, of historical research, which we now and here think of as preeminently his. His father had nearly completed the first draft of an elaborate study on the environment of the Pilgrim in England and Holland; and inasmuch as his son had manifested no special interest in these lines of investigation, he, in view of his own death, made other arrangements for the completion of this work.

Fortunately, the son's filial piety led to his being persuaded to undertake further study in the preparation of this volume for the press; with the result that a latent hereditary interest in historical matters was greatly stimulated, so that he gave his matured powers to this special task, and thus in the end came justly to be known as a foremost authority in everything relating to the Pilgrim story.

His election to this Society in 1895 gave him great satisfaction, as the best evidence that his attainments and his promise were appreciated, and that as his father's successor here a new field would open to him of enjoyment and activity.

In 1901 new arrangements for the management of the *Congregationalist* made his retirement possible, and thus left him free to give himself wholly to the work which his father had laid down. The result was that he practically re-wrote and condensed that whole work, with infinite pains not only verifying every quotation, and every reference to printed authorities, but also re-examining to a considerable extent the manuscript archives of which Dr. Dexter had in former years been a pioneer explorer. The book appeared at length in 1905, but so much changed in contents from the first draft that it is in fine much more the son's book than the father's, and made so with the

entirely just conviction that in this form it more perfectly represents the author's original conception.

Other writings on different phases of the same theme need no detailed reference, as they give only added illustrations of a similar effect.

From what the man thought and did to what he was, is no violent transition. His character had no complications and no obscurities. The briefest summary carries the whole story.

Those who knew him most thoroughly appreciate most keenly his instinctive, uniform courtesy; his capacity and even hunger for friendship; his unfailing loyalty to those near and dear to him and to the principles in which he had been trained, — and this without a trace of bigotry or any lack of appreciation for others' point of view; his scrupulous devotion to accuracy, which thought no time misspent and no pains wasted in its achievement; an unwearied promptness and efficiency in practical life — these, and such as these, are the qualities which go to make up the picture as we recall him.

His health began to fail, months before his sudden death, and both he and his friends were aware of his danger. He had passed, to be sure, his grand climacteric, but we do not think of him as growing old; enticing projects of fruitful labor lay just within his reach; like the most of us, he had given hostages to fortune, and his life was tenderly bound up with the lives and purposes of others. It is perhaps natural to say that he died out of due time. But would so sane a spirit as his have so felt? I cannot think of him, at the supreme moment of conscious existence, as querulous or regretful or as other than his own self, — cheerful, serene, and confident, without fear and without reproach.

Mr. C. F. Adams then read extracts from a paper on

Contemporary Opinion on the Howes.

In the paper submitted at the last meeting of the Society reference was made to three bound volumes, containing a collection of pamphlets, long in the possession of the Society, lettered on the back "Miscellanies" and "Howe Miscellanies." These three volumes, together with three volumes of Almon's *Remembrancer* for the year 1776, were given to the Society in

1804, by Isaac Parker, Jr., of Roxbury, son of Isaac Parker (1749–1805).[1] They originally belonged to one Israel Mauduit, concerning whom all necessary information can be found in the English *Dictionary of National Biography*. At a critical juncture agent in London of the Province of Massachusetts-bay, Mauduit was the writer of many pamphlets, and thoroughly familiar with the whole course of American events leading up to the War of Independence. In the article in the *Dictionary of National Biography* the writer thereof, W. P. Courtney, says that after Mauduit's death, which occurred in London, 14 June, 1787, "his library was sold by John Walker of Paternoster Row." This series of pamphlets was apparently part of his library. The collection is of itself one of great interest and rarity, but its value is enhanced not only by a number of contemporaneous newspaper clippings relating to the topics discussed, pasted into its pages, but also by copious manuscript annotations in Mauduit's handwriting, containing statements and reports of conversations of considerable historical moment. On these I have asked Mr. Ford to report;[2] for to him I am indebted for my acquaintance with a very valuable "find." On this head, therefore, I have now nothing further to say.

So far as I personally am concerned, the "find," however, was singularly opportune. The material has a direct bearing on certain papers heretofore prepared by me, and especially two which will form part of our *Proceedings*, — that entitled "Washington and Cavalry," submitted at our May meeting,[3] and that entitled "The Campaign of 1777," submitted at the last meeting.[4] I have therefore caused copies to be made of a few of the manuscript annotations in these volumes; of certain of the newspaper clippings pasted into them; and of several passages from the pamphlets themselves, not readily accessible but all containing matter of true historical importance bearing immediately on the topics discussed in the papers referred to.

The first of these clippings is a letter signed "T. P." relating to the battle of Bunker Hill, and printed in the issue of the *London Chronicle* for August 3, 1779.

[1] *Proceedings*, I. 167.
[2] P. 144, *infra*.
[3] *Proceedings*, XLIII. 547.
[4] Pp. 13–65, *supra*.

Of this communication more than one copy is found in these volumes, and in each instance the initials have been erased by the pen, and "I. M." or "Mauduit" written, thus disclosing the authorship.

I print the communication in full, as it is most illuminating as to the British tactics pursued at Bunker Hill, and is in direct and even curious degree confirmatory of certain views contained in a paper of mine published in the *American Historical Review* of April, 1896 (Vol. I. pp. 401–413). Singularly enough, also, those views have, without direct reference to them or apparent knowledge of them, recently been controverted by one now a member of the Society.[1] It is therefore not without a certain sense of satisfaction that I adduce this extraordinarily conclusive bit of contemporaneous and loyalist evidence in support of the conclusions reached by me fourteen years ago:

If the English General had had his choice given him of the ground upon which he should find his enemy, he could not have wished to place the rebels in a situation for more certain ruin, than that in which they had placed themselves at Bunker's-hill. And yet, from some fatality in our councils, or rather perhaps from the total absence of all timely counsel, what ought to have been destructive to them proved only so to the royal army.

Every one knows, that the ground on which stood Charlestown and Bunker's-hill was a peninsula. The isthmus, which joined it to the Continent, used originally to be covered at high water; but, for the convenience of the inhabitants, had a causeway raised upon it, which answered all the purposes of a wharf for landing upon. And the land adjoining was firm, good ground, having formerly been an apple orchard.

Nothing can be more obvious, especially if the Reader will look upon the plan, than that the army, by landing at the neck or isthmus, must have entirely cut off the rebels retreat, and not a man of them could have escaped.

The water in the Mystic river was deep enough for the gun-boats and smaller vessels to lie very near to this causeway; to cover and protect the landing of our own army, and to prevent any farther reinforcements being sent to the enemy, as well as to secure the retreat and re-embarkation of our own army, if that could have become necessary.

[1] Address of Hon. Curtis Guild, Jr. *Proceedings of Bunker Hill Monument Association*, 1910, p. 33.

The ambuscade which flanked our troops in their march up to Bunker's-hill, and did so much mischief, had by this means been avoided.

Instead of shutting up the rebels, by landing at the isthmus, which was the place the most commodious for the descent, and for beginning the attack, the General unhappily chose to land in the face of the rebel intrenchments, and at the greatest possible distance from the neck or isthmus, and thereby left the way open for their escape; and still more unhappily, knowing nothing of the ground, attempted to march the troops in a part, where they had ten or twelve rows of railing to clamber over; the lands between Charlestown and the beach being for the convenience of the inhabitants divided into narrow slips, not more than from ten to thirty rods over.

These posts and rails were too strong for the column to push down, and the march was so retarded by the getting over them, that the next morning they were found studded with bullets, not a hand's breadth from each other.

All this was well known to the inhabitants of Boston: But they thought that military men, and such a great English General as Mr. Howe, must know better than they. And all this might have been known, and ought to have been known to the English Commander.

Had the rebels coming into this peninsula been a thing utterly unexpected, and never before thought of, the suddenness of the event might have been an apology for their not instantly thinking of the measures most proper to be taken upon such an occasion. But, far from unexpected, this was an event, which they had long been apprehensive of, the possibility of which had been in contemplation for two months before. The action at Bunker's-hill was on the 17th of June; and so long before as the 21st of April, a message had been sent to the Selectmen of Charlestown, that if they suffered the rebels to take possession of their town, or to throw up any works to annoy the ships, the ships would fire upon them. The message giving them this warning doubtless was very proper: But it was easy to foresee, that if the rebels chose to possess themselves of any part of the peninsula, the inhabitants of Charlestown could not prevent it. In all these eight weeks, therefore, it might have been hoped, that the General and Admiral should have concerted the proper measures for them to take, in case the enemy should come thither. It might have been hoped, that the Admiral should have perfectly informed himself of the depth of the water in the Mystic-river, and how near at the several times of the tide the vessels could come to the causeway. We might have hoped that the General

would have informed himself of every inch of ground in so small a peninsula; and have previously concerted what he ought to do, and where he ought to land, upon every appearance of an enemy. And yet we do not seem to have given ourselves the trouble of a single thought about viewing the ground, or of considering beforehand what would be the proper measures to be taken in case the enemy should appear there. Instead of this, the morning on which the enemy was discovered, at three o'clock, a council of war was to be called, which might as well have been held a month before, and many hours more given to the rebels for carrying on their works, and finshing their redoubt.

The map will show us that Charlestown-neck lies at the utmost passable distance from the rebel quarters at Cambridge and Boston neck; so that the troops had every possible advantage in landing at the causeway, and not a single man of the rebels could have escaped.

Is it necessary for a gentleman to be a soldier to see this? Will not every man's common sense, upon viewing the map, be convinced of it?

Whether, after the rebels were fled, Gen. Clinton's advice to pursue was right or not, may be made a doubt: But if instead of having sacrificed the lives of a thousand brave men by the want of all previous concert, and never having surveyed the ground; if, instead of this negligence and inattention, we had shut up the whole rebel force in the peninsula, and destroyed and taken that whole army, there can be no doubt, but that we might then have pursued our advantage; and that if then we had marched to Roxbury and Cambridge, the troops would probably have not found a man there to oppose them; at least in that general consternation, they might very easily have been dispersed; and the other provinces not having then openly joined them, we should probably have heard nothing more of the rebellion.

It was said at the time, I have heard, that we were unwilling to make the rebels desperate; but I hope no military man would offer to give such a reason. Veteran troops, long possessed with a very high sense of honour, like the old Spanish infantry at Rocroy, might possibly resolve to die in their ranks, and sell their lives as dearly as they could, though I know no instance in modern war of this Spanish obstinacy. But for regular British troops to be afraid of shutting up a rabble of irregular new raised militia, that had never fired a gun, and had no honour to lose, lest they should fight too desperately for them, argues too great a degree of weakness, to be supposed of any man fit to be trusted in the King's service. Happy had it been for Mr. Burgoyne, if Mr. Gates had reasoned in this

manner; and left the King's troops a way open for their escape, for fear of making them desperate. And yet Mr. Gates, when he lived with his father in the service of Charles Duke of Bolton,[1] was never thought to possess an understanding superior to other men; and the letters of some of the most sensible and best informed men among the rebels show, that they thought him scarce equal to the command.

But what was it we had to fear by this notion of making them desperate? The rebels could not but see the execution they had done upon the royal army in their march; and yet they ran away the instant our troops were got up to them — Was this their point of honour? Had they found themselves cut off from all possibility of retreat by our army's landing at the isthmus, in all probability they would have instantly thrown down their arms and submitted. If they had not, they must then have come out of their intrenchments, and fought their way through our army to get to the Isthmus: that is to say, we chose to land, and march up to their intrenchments, and fight under every possible disadvantage, for fear that by landing at the neck, we should have obliged them to come out of their intrenchments, and fight us upon equal terms, or even upon what disadvantages the General should please to lay in their way. But the innumerable errors of that day, if they had been known in time, might have sufficiently convinced us, how little was to be expected from an army so commanded. T. P.

The pamphlet No. 8 in the first volume of the Mauduit Collection, entitled "A View of the Evidence Relative to the Conduct of the American War under Sir William Howe," has this preliminary manuscript annotation in Galloway's handwriting:

[1] [Burke, a not impeccable authority, states that Charles Paulet was the fifth Duke of Bolton, dying in 1765, and leaving a natural daughter. The fourth Duke was Harry Paulet, the dates of whose birth and death are not given in the *Dictionary of National Biography*, and the sixth was also named Harry (1719–1794), an admiral. Bolton Castle is in Yorkshire. It has usually been stated that the parents of Gates were the butler and housekeeper of the Duke of Leeds, and that Horace Walpole, a youth visiting the Duke at the time of Gates's birth, good-naturedly consented to act as his godfather. The member of the family at the time was Thomas [Osborne], fourth Duke of Leeds (1713–1789?). The daughter of Thomas Osborne (1631–1712, better known as Earl of Danby than as Duke of Leeds) married Horatio Walpole, dying without issue. This gives support to the legend of the younger Walpole as godfather to Gates. Gates is said to have been born at Malden, Essex County. It is difficult to harmonize the various statements, but the writer of the letter, Mauduit himself, seems to have known of Gates. W. C. F.]

Lord Howe's conduct towards Mr. Galloway here in England was exactly similar to that in America. In America, when he knew Mr. Galloway was coming to England, In order to secure him in his interest; he offer'd him a passage in his own Ship. And when Galloway declined the offer, he then prevented his getting a passage in another Ship of Force. So that at length he was obliged to venture over in an unarm'd Vessel; tho he knew, that if he should be taken, the Rebels would certainly hang him.

In England, when Mr. Galloway was bro't to the Bar of the house of Commons, Lord Howe tryed to Soften him by fulsom Flattery: Telling the house, in his hearing, that Mr. Galloway was a Gentleman of understanding and veracity, and the house might depend upon the Truth of what he Said. But after he had given his Evidence; he said, that he suppos'd the Gentleman's Poverty and not his will consented.[1]

This pamphlet is in part made up (pp. 71–145) of certain letters and documents entitled "Fugitive Pieces respecting the American War." To these is prefixed the following note: "Lord Howe in a speech April 29th, gave the following reasons for demanding an enquiry. His conduct and his Brother's had been arraigned in Pamphlets and in News Papers, written by persons in high credit and confidence with Ministers; by several Members of that House, in that House, in the face of the Nation; by some of great credit and respect in their public characters, known to be countenanced by Administration: and that one of them in particular, (Governor Johnstone[2]) had made the most direct and specific charges."

[1] June 30. "Galloway and Mauduit in the evening: the former very angry with Lord Howe, for comparing him to the Apothecary in Romeo, whose poverty had driven him to say what he did not think: desires to publish his own examination." — Hutchinson, *Diary and Letters*, II. 264.

These words were applied by Galloway to Viscount Howe, in his *Letter to the Right Honourable Lord Viscount Howe*, No. 7 in this Mauduit Collection. See under that number for Mauduit's comment.

[2] [It may be said that Howe was as fortunate in his English opponents as he had been in America when pitted against the Continental army. George Johnstone was an excellent example of the time-serving member of Parliament, who would stickle at nothing in the support of the Ministry. Entering Parliament by way of one of the "rotten boroughs" owned by Sir James Lowther, afterwards Earl of Lonsdale, he loyally supported the measures of the administration, as much noted for his shameless and scurrilous utterances, as for his reputation for his skill with a pistol. He was appointed one of the commissioners of 1778 to treat with the American colonies, but so conducted himself that his colleagues (Earl of Carlisle and the Howes) disavowed his acts, and he was forced to retire from the Commission. His blunder consisted in seeking by private arrangement

First among these "Fugitive Pieces" is a "Letter from Boston," dated July 5, 1775, or the eighteenth day subsequent to the battle on Bunker Hill. It was apparently written by a British officer serving under General Gage, to some friend in England, and had been very generally handed about in official circles. The portion of this letter relating to the events of June 17 is as follows:

On the 17th of June, at day break, we saw the rebels at work throwing up intrenchments on Bunkers hill; by mid-day they had completed a redoubt of earth about thirty yards square on the height; and from the left of that, a line of about half a mile in length down to Mystic river: of this line 100 yards next the redoubt was also earth, about five feet high, all the rest down to the water consisted of two rows of fence rails, the interval filled with bushes, hay, and grass, which they found on the spot ready cut.

Early in the afternoon, from a battery in the corner of the redoubt, they fired seven or eight shot into the north end of the town; one shot went through an old house, another through a fence, and the rest stuck in the face of Cobb's [Copp's] hill.

At this time their lines were attacked by Major General Howe at the head of 1600 men, composed of 20 companies of grenadiers and light infantry, 40 men each, with the 5th, 38th, 43d, and 52d regiment. General Howe commanded on the right with the light infantry, Brigadier General Pigot on the left; while Pigot attacked the redoubt, Howe was to force the grass fence, gain the rebel's left flank and rear, and surround the redoubt.

Our troops advanced with great confidence, expecting an easy victory. As they were marching up to attack, our artillery stopped firing, the General on enquiring the reason was told they had got twelve pound balls to six pounders, but that they had grape shot; on this he ordered them forward and to fire grape. As we approached, an incessant stream of fire poured from the rebel lines, it seemed a continued sheet of fire for near thirty minutes. Our light infantry were served up in companies against the grass fence, without being able to penetrate; indeed how could we penetrate, most of our grenadiers and light infantry the moment of presenting themselves, lost 3-fourths, and many 9-tenths of their men. Some had only

to bribe some of the American leaders. Returning to England, he set up as an authority on American affairs, and became an uncompromising critic of Keppel and Howe, "in a series of speeches which prove his ignorance of his profession." "He seems to have had courage," writes Prof. J. K. Laughton, in the *Dictionary of National Biography*, "but was without self-restraint, temper, or knowledge." W. C. F.]

eight and nine men a company left, some only three, four and five. On the left Pigot was staggered and actually retreated; observe our men were not driven back, they actually retreated by orders: great pains has been taken to huddle up this matter: however, they almost instantly came on again and mounted the redoubt. The rebels then run without firing another shot, and our men who first mounted gave them a fire or two on their backs. At this time Warren their commander fell: he was a Physician, little more than thirty years of age; he died in his best cloaths; everybody remembered his fine silk fringed waistcoat. The right flank of the rebel lines being now gained, and not the left as was intended, their whole body ran along the neck to Cambridge. No pursuit was made.

We have lost 1000 men killed and wounded. We burned Charlestown during the engagement, as the rebels from it exceedingly galled our left. Major Pitcairn was killed from it. Too great a confidence in ourselves, which is always dangerous, occasioned this dreadful loss. Let us take the bull by the horns was the phrase of some great men among us as we marched on. We went to battle without even reconnoitering the position of the enemy. Had we only wanted to drive them from their ground without the loss of a man, the Cymetry transport which drew little water, and mounted 18 nine pounders, could have been towed up Mystic channel, and brought to within musket shot of their left flank which was quite naked, and she could have lain water borne at the lowest ebb tide; or one of our covered boats, musket proof, carrying a heavy piece of cannon, might have been rowed close in, and one discharge on their uncovered flank, would have dislodged them in a second.

Had we intended to have taken the whole rebel army prisoners, we needed only have landed in their rear and occupied the high ground above Bunkers hill, by this movement we shut them up in the Peninsula as in a bag, their rear exposed to the fire of our cannon, and if we pleased our musketry; in short, they must have surrendered instantly, or been blown to pieces.

But from an absurd and destructive confidence, carelessness, or ignorance, we have lost a thousand of our best men and officers, and have given the rebels great matter of triumph, by showing them what mischief they can do us. They were not followed though Clinton proposed it. Their deserters since tell us that not a man would have remained at Cambridge, had but a single regiment been seen coming along the neck.

Had we seen and rejected all the advantages I have mentioned above, even our manner of attacking in front was ruinous. In advancing, not a shot should have been fired, as it retarded the troops,

whose movement should have been as rapid as possible. They should not have been brought up in line, but in columns with light infantry in the intervals, to keep up a smart fire against the top of the breastwork. If this had been done, their works would have been carried in three minutes, with not a tenth part of our present loss.

We should have been forced to retire, if General Clinton had not come up with a reinforcement of 5 or 600 men. This re-established the left under Pigot, and saved our honour. The wretched blunder of the over sized balls sprung from the dotage of an officer of rank in that corps, who spends his whole time in dallying with the Schoolmaster's daughters. God knows he is old enough — he is no Sampson — yet he must have his Dalilah.

Another circumstance equally true and astonishing is, that General Gage had undoubted intelligence early in May, that the rebels intended to possess Bunkers hill, yet no step was taken to secure that important post, though it commanded all the north part of the town. He likewise had an exact return of the corps that composed the rebel army then investing the town; of every piece of cannon they possessed; of their intended lines of blockade; and of the numbers expected, and on their march from the other Provinces.

We are all wrong at the head. My mind cannot help dwelling upon our cursed mistakes. Such ill conduct at the first outset, argues a gross ignorance of the most common and obvious rules of the profession, and gives us for the future anxious forebodings. I have lost some of those I most valued. This madness or ignorance nothing can excuse. The brave men's lives were wantonly thrown away. Our conductor as much murdered them as if he had cut their throats himself on Boston common. Had he fallen, ought we to have regretted him?

I come next to the operations on Long Island in the closing days of August, 1776. Of these, also, I have had occasion to write,[1] and in regard to them have reached certain conclusions, which, with a view to early re-publication, I am now re-examining. One of the more serious charges advanced against Sir William Howe in connection with this movement of his was the failure to clinch his decisive success at Flatbush and Bedford on the morning of August 27th by following the routed Patriots over the defences and into Brooklyn. There is no doubt that the British grenadiers, flushed with easy victory,

[1] *American Historical Review*, I. 650.

were eager to go ahead and could with difficulty be restrained. With characteristic confidence in his own military insight and judgment Fiske dismisses the matter lightly, asserting that "Howe's men were tired with marching, if not with fighting"; and, the following day, "Washington would have courted a storm, in which he was almost sure to be victorious," and, as the outcome of which, the British "would probably have been repulsed with great slaughter."[1] After examining the evidence, my own conclusions were quite different, in fact wholly at variance with those thus authoritatively pronounced. In my judgment the position of the Patriot army was at that juncture critical in the extreme; their defences amounted to little; and, in fact, they owed their deliverance to the well-nigh inexplicable caution, combined with dilatoriness, of Sir William Howe. This view of the situation I find fully justified by marginal annotations in Mauduit's volumes.

The following, for instance, is a written comment from the third pamphlet in the first volume of the Collection, entitled "Remarks upon Gen. Howe's Account of his Proceedings on Long Island." The pamphlet is one of Mauduit's preparing, and was published in London in 1778.

On page 10, referring to Howe's failure to follow up his success at Flatbush, Mauduit wrote:

> Can the reader wonder, that the troops were thus eager for the attack, and that it required repeated orders to prevail upon them to desist, when the General himself was of opinion, and every other man plainly saw, that the lines must have been forced, and the whole rebel army taken or destroyed?

Then comes the following manuscript note by Mauduit:

> Governor Wentworth told me, that Gen'l Vaughan told him, that he sent word to Gen'l Howe, that he would take the Redoubt with inconsiderable Loss. The answer, as Wentworth said he had seen it related, was: That the Troops had for that day done handsomely enough.[2]

[1] *The American Revolution*, I. 209, 210.

[2] In another copy of this pamphlet, in Volume II., Mauduit continues this note thus: "D. B. told me that when this Gazette came to N. York, Gen'l Vaughan sent it back to Lord Lisbon with this note: Tho' I 3 times sent him word by my aid de camp that I would take the Redoubt with the Loss of less than a hundred men." General [Sir John] Vaughan (1748?–1795) was a younger son of Wilmot Vaughan, third Viscount Lisburne.

Saturday, Dec. 4th, 1779, Gen'l Vaughan dined in Sackville Street, and then said the same thing; and added that the Consternation of the Rebels was so great, that the very camp women that followed his Regiment took them prisoners.[1]

Governor Thomas Hutchinson's house was that referred to as being in Sackville Street, and John, afterwards Sir John, Vaughan, then a Colonel with the local American rank of Major-General, was in command of a column of the British grenadiers at Brooklyn. He accompanied Lord Cornwallis to England at the close of 1776; subsequently returning to New York, and attaining the full rank of Major-General, he served under Sir Henry Clinton.

The following, relating to the same matter, also in Mauduit's handwriting, is found upon a leaf of writing-paper pasted in after the final page (54) of the pamphlet:

Mr. Thomas told me, He lay in Cleveland's Tent and march'd, on the morning of the Rebels' Flight, with the Artillery: and that the trench was level'd and fill'd up so as that the Train pass'd over it, in Six or Eight Minutes. He also told me he heard the officers say, that they could leap their horses over this Trench.

Mr. [2] told me that he accurately examined this Trench, that he was sure it was nowhere more than four feet deep, he believ'd three foot.

Colonel Willard told me that these Lines consisted [were] only of a ditch of 3 feet Depth, and the Dirt which was thrown up out of it. And that the next day after the Rebels had left it, he himself (a tall big man) leap'd his horse over it. That just on each side of the Road leading to the Ferry there was an abbatee: but everywhere else there was none for half a mile together, from one Redoubt to another, and it consisted of nothing more than an ordinary Fence of a Ditch and the Dirt thrown up out of it, that his [my] horse Jump'd over, he added Ask Lutwych; he will tell you the same. Mr. Thomas told that this Abbattee was made with the apple trees of an orchard belonging to an old Dutchman Covenhoven.[3] That the old man show'd it to him and complain'd that the Rebels had cut down his Newtown Pippen Trees to no purpose for you see said

[1] [A bit of corroboratory evidence is to be found in Hutchinson's *Diary*. Under this date he wrote: "Gen'l Vaughan is ordered out immediately to the West Indies. He and Sir Rich'd Sutton, Sir W. Pepperell, Livius, Galloway and Dr. Chandler, dined with me." — *Diary and Letters*, II. 300. W. C. F.]

[2] A blank in the MS.

[3] Nicholas Cowenhoven.

he the Kings troops had only to march a little on one side or the other, and there was no abbattee to hinder their passing. This Dutchman, Thomas told me, had built three good houses for himself and his two Sons. The Rebels burned his Sons two houses, and came to burn his; but luckily fancied that the King's troops were coming, and left it.

Jan'y 26, 1784. Mr. Lutwyche Din'd with me and said. All the time while I was at Halifax I was for 6 months laid up by the Rheumatism, so that I could not straiten my Legs. I grew better when we came to Stadten Island. I grew better, and when the Rebels were gone, my curiosity prompted me to walk out for the first time with Mr. Leonard: and weak and lame as I was, I walk'd over this Ditch. He added, All that Montresor said in his evidence was false.

(N. B. How[e] had sign'd Montresor's Accounts, and altho he was worth nothing, as Maseres told me, while Montresor was at Quebec, yet he bro't home above £100,000. And gave 6000 for an unfinish'd house in Portman place, which would cost him 4000 more to finish and furnish it.) Mr. Leonard long ago when he was here gave me the same account of the Lines as Lutwyche did.

April 18, 1782 Colonel Fanning told me he was at the Battle of Long Island; And he confirm'd all that I had said [my account of] about the behaviour of the two Howes on that Day. C. Fanning also saw and confirm'd all which I have said of Lord Howe's Behaviour at Governors Island. N. B. This is a copy of a memorandum I made on April 18, 1782.[1]

The following marginal note relates to the Captain Montresor above referred to, Sir William Howe's officer of engineers. Montresor gave evidence in Howe's favor in the course of the Parliamentary examination in 1779. His testimony, as reported, is curious and worthy of examination. In his advocacy of Sir William Howe he showed himself equally regardless of established fact or innate probability:

General Vaughan said in Sackville Street at Gov'r Hutchinson's that he was astonished at reading what Gentlemen had said at the bar of the House of Commons for he knew that they had said the direct contrary in America.

[1] [I am unable to identify Mauduit's informants. There was a Captain Thomas mentioned by Montresor in 1778, but he does not appear in the *Army List* of that year. It was probably Edward Goldstone Lutwyche, of New Hampshire, later agent in London for the province of New Brunswick. See *Winslow Papers* (New Brunswick Hist. Soc.), 428. Captain John Montresor is as well known as a capable engineer as Edmund Fanning is for his cruelty. W. C. F.]

Mr. Galloway told me he commonly lay in the same Tent with Montresor. Often heard him condemn How: and if Montresor w'd produce the Journal he kept, it w'd be found to condemn How's conduct more severely than Galloways Journal.[1] But S'r W'm Howe just before he left America, pass'd Capt'n Montresors accounts, and thereby enabled him to bring home £80 or 100,000.

The following is from a letter, written probably to Mauduit, from New York, dated December 16, 1777, printed (p. 86) as part of the eighth pamphlet in the first volume of the Collection, entitled "View of the Evidence Relative to the Conduct of the American War under Sir William Howe, Lord Viscount Howe, and General Burgoyne. Second Edition, London." This pamphlet appeared in 1779:

It is a unanimous sentiment here, that our misfortunes this campaign have arisen, not so much from the genius and valour of the rebels, as from the misconduct of a certain person.

Our Commander in chief seems not to have known, or to have forgotten, that there was such a thing as the North River; and that General Burgoyne, with his small army, would want support in his attempt to penetrate to Albany; as the inhabitants of that country were the most rugged and hardy, and the best accustomed to arms, of any of the Northern rebels.

If General Howe had been so happy for himself and his country as to have moved up the North River, instead of going to sea in the middle of the Campaign, all America could not have prevented the junction of our two armies; and that of General Burgoyne's would have been saved; and a strong line of communication from St. Lawrence to New York would have been formed by the lakes and posts on the North River, dividing the northern from the southern provinces. Had this been done, the rebellion would have been half over, even without a battle. But some people seem never to have looked at the map of America; or, if they did, they have proved to us they did not understand it.

Since Philadelphia was taken, General Howe has never been able to get out of sight of it; and the whole campaign appears to have been spent in taking that single town, which if we keep, will cost us an army to defend.

In truth, merely through misconduct, instead of our expected successes, we have met with nothing but misfortune and disgrace.

[1] [Some of those caustic comments will be found in New York Hist. Soc. *Collections*, 1881, 130 ff. Montresor's controversy with the Auditor's Office on his accounts is in the same volume, 534. W. C. F.]

The deserting Burgoyne has lost us 10,000 men and upwards, in regular troops, Canadians, and Indians, and in loyal subjects adjoining to Albany and the Lakes; and the glorious acquisition of Philadelphia, will cost us a garrison of 10,000 more, unless General Howe, while this rebellion lasts, means to protect that darling conquest with his whole army.

Whereas, if the communication had been formed by securing the North River and the Lakes, the operations of our army to the northward would have covered New York, Long Island, and Rhode Island, which would have enabled General Howe to take the field with at least 10,000 men more than he has been able to do in Pennsylvania.

In that case he would only have had the northern rebels to contend with; for Washington could not have passed the North River while the Eastern Banks were defended by our posts, and the whole river occupied by our armed ships, floating batteries, gun boats, and other craft. Then the taking of Connecticut, a small but fertile colony, and the storehouse of New England, would have ensured the conquest of the northern colonies. They must have thrown down their arms or starved; for I cannot suppose, that a body of militia could have defeated an English regular army, amounting at least to thirty thousand men, and as well appointed in every respect, as any army that ever took the field; and the men of that army, roused to the highest pitch of enthusiasm in the cause of Old England, and inspired with indignation against the rebels, for their multiplied acts of treachery and barbarity. But the spirit, the vigour, and the lives of many of our brave fellows in the main army, have been lost by pursuing the most ill advised measures, the carrying on the war from the Chesapeak bay and Philadelphia, places in which the rebels can bring their whole force against us, and where all the advantages we may gain can avail us nothing further than keeping possession of the ground on which our army encamps.

In fact, there is not a common soldier in the army but knows, that deserting the North River lost Burgoyne and his army; that his being fought down has given the rebels tenfold confidence, and thrown a gloom over the aspect of our affairs in America.

One of the more interesting pamphlets in the Mauduit Collection is that numbered 4, in the second volume, entitled "Historical Anecdotes Relative to the American Rebellion," London, 1779. This pamphlet contains a series of letters written from New York, apparently to either Mauduit or Galloway, or to other correspondents in London during the years 1777–78. The document is, of course, extremely rare,

and, beyond calling attention to it, I now propose to submit certain extracts bearing directly on statements made or conclusions reached in my papers in the May and October *Proceedings*.

The first extract is from a letter dated at New York, January 26, 1778. It does not appear to whom it was addressed. In it the general situation at the close of the Campaign of 1777 is passed in review, General Howe, with the British army, being then in Philadelphia, and the Patriot army in its Valley Forge winter quarters:

> The Northern [Burgoyne's] Army is as it were annihilated; and General Howe snug in Philadelphia; while Washington keeps possession of the country. — Can there be a more preposterous piece of conduct, than to suffer the Rebel Army to range uncontrolled, and to content ourselves with the capture of a few Towns, which would be ours of course if that Army were destroyed? It has, more than once, been in our power to have done it effectually. This the Rebels themselves acknowledge. But those glorious opportunities have been neglected, and the war protracted at the hazard of ruining the Country; which nothing can prevent, but a Change of Men and Measures.
>
> Whether our present Chief blunders through want of capacity, or by design, I will not pretend to determine; but so frequent and so gross have those blunders been, that the Rebels in a good measure build their hopes upon them. Their common daily toast, I am told, is, "May General Howe continue in command." A member of Congress, early last Summer, told a Lady of your acquaintance, who lives between New York and Albany, and was expressing her apprehensions of what might happen on General Howe's marching that way to meet Burgoyne, "That she need give herself no uneasiness upon that score; for he could venture to assure her, that He would not take that Route." Being asked his reason for thinking so, he replied, "Because it was the very thing he ought to do," And the event has justified his assertion. He continued in Jersey, at the head of the finest Army in the world, with Washington at his elbow, whom he suffered to remain quite easy and unmolested, till half the season of Action was over; then, gently took wing — coasted along the Atlantic — looked into the Delaware — wheeled about — took a circuit into Chesapeak-Bay, — and, after six weeks diversion of that kind — landed at the head of Elk, — from whence he fought his way to Philadelphia — had just Time to provide himself with winter-quarters, and so — ended the campaign. Bur-

goyne, with his small Army, after the most spirited exertions, was left to fall a Sacrifice; and the fair hopes which he had entertained, of the Eastern Governments making their submission, and of approaching Peace, vanished into nothing. — Common sense revolts at such conduct.[1]

The following extract is taken from a letter dated New York, January 27, 1778:

It is said, and I confess with great appearance of truth, that they [the Howes] are both antiministerial men, and their minds poisoned by faction: That they have endeavoured by every means to spare the Rebellion, in order to give It and the Rebels an air of consequence at home; thereby intending to answer the manifold purposes of covering the General's inactivity and dilatory conduct; magnifying his military character in the eyes of the Nation, when he shall at last think proper to put an End to the war; giving time to several Favourites to make most enormous sums of money; and, in some measure, compelling Administration to save the Rebels and their Estates by treating with them, — contrary to the honour of the nation, contrary to justice and sound policy: That General Howe has made a wanton and cruel sacrifice of General Burgoyne to his jealousy of Burgoyne's superior abilities; that, for the same reason, he has endeavoured, by every means in his power, to thwart General Clinton, to the great disadvantage of his Majesty's service; that he is dissipated, and more attentive to his pleasures than to the business of the nation; that he is not really equal in capacity to so important a command; and that there can be no hopes of the Rebellion's being speedily extinguished, if He continue at the head of the Army.

However wrong some of these assertions may be, (if indeed they are at all wrong,) the following facts are unquestionable and undeniable; viz. That General Howe might, with the utmost ease, have destroyed Washington's Army, and thereby have put a total end to the Rebellion, at many different times, and most favourable opportunities, in the Autumn of 1776: — That he might most effectually have succoured General Burgoyne, without the least injury to any service he could propose to execute; and that he has most unaccountably and unexpectedly trifled away all the last year; having really done Nothing, at the head of the finest and most executive Army under Heaven, but take, or rather take possession of, Philadelphia; which, it is notorious, he might have done in April last, or indeed whenever he pleased, by marching with a few bat-

[1] *Historical Anecdotes*, 52.

talions from Brunswick, without giving himself or his troops the trouble, vexation, and disgrace, of retreating from thence to Staten-Island; there embarking, and remaining, so embarked, for three weeks, when the weather was hot in the extreme; and, after all, spending other three weeks, or a month, in sailing round to Chesapeak-Bay, and from thence marching to Philadelphia; exactly the same distance of road, as it was immediately from Brunswick to that city.

I have said that General Howe has done nothing but take possession of Philadelphia: I only mean by this, that he has not, as far as we know, done anything decisive. When the Army left the Jerseys, it was pretended, that the General, unwilling to risk the loss of two or three thousand brave men, had determined not to attack Washington in his almost inaccessible camp, but had fallen on another mode of doing the business almost as effectually, without so much hazard. — The Army, and everybody else, understood by this, that Mr. Howe intended to get round Washington; cut off his retreat Westward or Southward; attack him from behind the mountains, where it was said to be more practicable; or, if he should abandon those strongholds, then to pursue him with unabating vigour, till his whole army should be either destroyed or dispersed. But we cannot learn that this has been the case; or that anything more has been done than defeating Detachments, that had been sent out by Washington to annoy the King's troops; notwithstanding it is currently reported by the Military, that the Rebels might easily have been come at and annihilated, in spite of the Numbers which they boast of. — "But was it not absolutely necessary to open a communication by the Delaware? And might not the reduction of Mud-Island and Red-Bank Forts unavoidably detain the Army?" — The opening the Delaware was undoubtedly necessary; but as that business chiefly belonged to the Shipping, it needed not to have impeded the operations of the whole Army. — These facts, therefore, thus stated, being plain, intelligible, and I believe incontestable either here or on your side of the water, surely stand in need of no comment. The most candid angel, I think, cannot draw inferences from them much in the General's favour.[1]

The writer of these letters was beyond question strongly prejudiced against both Lord Howe and Sir William Howe. His statements must accordingly be received with the necessary allowance. Nevertheless, it is a curious fact that every assertion here made has been confirmed in the perspective of a century's historical revelations.

[1] *Historical Anecdotes*, 57.

The same may be said of the following from a letter dated New York, April 29, 1778:

The Colonists, beyond all doubt, are much distressed for necessaries: their currency has almost lost its credit; and they are obliged to draft men in order to recruit their army. These circumstances, joined to a presumption that some sparks of affection to the parent-state are still alive, would induce one to conclude that they would be desirous of terminating the war on such advantageous terms, and so much seemingly to their reputation: But, on the other hand, those republican, independent Principles, which were the chief source and spring of the Rebellion, still continue in full vigour. — The Rebels are greatly flushed with their success against Burgoyne: the Congress, the Army, the several legislatures and posts of trust and profit in the different States, are mostly filled with violent men, of little property, and who therefore can hardly be supposed willing to relinquish their present state, and fall back into their original obscurity; not to mention a consciousness that they have offended past all hope of a cordial forgiveness on the side of Government. These are circumstances which do not promise any success to Negotiation, and which incline many judicious persons here to think, that those offers on the part of Great Britain will come to nothing. In this state of uncertainty are we at present. It is whispered here, that some of the officers who went home last winter, intimate friends of the late Commander in Chief, made such a terrible representation of the Powers and Resources of the Colonies, as frightened all England. But really, if this was the case, you were wretchedly imposed on. It may be convenient to magnify the State of the Rebels, in order to palliate the shameful conduct on our part. Washington has slumbered and slept in quiet, at the distance of 20 miles from Philadelphia, this whole winter, with no more than about 5000 men: Sir W. Howe had upwards of 16,000, as brave fellows, and as eager to engage, as ever took the field; yet he gave the former no interruption. The case was similar the preceding winter: with such management the Rebels might maintain the war against a British Army of 100,000 men, nay, of a million; yet I would pawn my head upon it, that 10,000 British Troops, even of those now here, under a proper Leader, — under Sir H. Clinton, — would march from one end of this Continent to the other, in spite of every effort the Rebels could make to stop their progress. I am not singular in this opinion; it is the general opinion. But it is needless to talk of these matters now: — Providence, I hope, will take care of us; — there lies my chief dependence. Sir Henry Clinton's appointment to the Chief Command gives uni-

versal joy to all the American Loyalists; and, so far as I can learn, to the Army. He is an excellent Officer, and I believe well-disposed to vindicate the injured Honour and Interest of his Country.[1]

The next extract is from the examination of Joseph Galloway before the House of Commons. This is a pamphlet of eighty-five pages, and contains much matter of historical importance, the present copy being further enriched by Mauduit's marginal manuscript notes. I, of course, reproduce here only brief extracts. In this hearing Edmund Burke, then a member of the House of Commons, seems to have represented the two Howes. Perhaps it would be more correct to say he had taken their interests under his peculiar protection. Early in his evidence Mr. Galloway touched upon the plundering by the British Army in the course of the various campaigns. The following question was put to him:

Q. In what manner were the inhabitants treated by the British troops after they received their protections?

A. Many of them, by far too many, were plundered of their property while they had their written protections in their hands, or in their houses. — Friends to Government, and those disaffected to Government, shared the same fate in a great variety of instances.

Withdrew.

Again called in.

Q. Was that last answer given from your own knowledge?

A. From my own knowledge.

Q. By whom were such inhabitants plundered after they had received their protections?

A. By the British and Hessian troops.

Q. To your own knowledge?

A. I should be happy if the Committee would let me explain myself. — It may be expected, that I ought not to answer, to my own knowledge, unless I saw the fact committed. — That I did not, and yet I can assign such reasons, I think, as will justify me in saying — to my own knowledge. — The people plundered have come to me recently from the fact, with tears in their eyes, complaining that they were plundered of everything they had in the world, even of the pot to boil their victuals. — I myself drew a memorial to Sir William Howe, in behalf of a friend to Government, who had been plundered of many thousands in Madeira wine; — that memorial was presented, — the determination of it was referred to General

[1] *Historical Anecdotes*, 74.

Robertson, whether the person should be paid for the wine or not (the person was Mr. Sharp of New York). This was settled, and I have reason to know of many other memorials that were presented on the like occasions. — I have seen them before they were presented; — and as to the fact of the plunder, many affidavits were taken on that occasion by the enemies to Government, which affidavits were published throughout all America.*

To this Mauduit appends the following note:

Here Mr. Galloway was interrupted, and the proceedings were thrown into Disorder by Mr. Burk's intemperance. Mr. Galloway however did say the substance of what is now said in this note: but by reason of the Disorder of the house, the clerk omitted the setting it down: and this answer was not read over again to the witness, as was usually done. Sir Richard Sutton [1] had 50 more Questions to ask Mr. Galloway, which would have bro't many more things to Light: But, as the Session was expected to End every day, Lord North from an Excess of Candour would not permit him to go on with them, in order that he might give the two Howes time to cross-examine him if they chose it. Instead of which, the 2 Brothers, not daring to controvert anything, which Mr. Galloway had said, left him to Mr. Burke who imploy'd the whole day in diverting the attention of the house from S'r W'm How's affairs to the affairs of the Congress; and by asking all these foreign Questions, and then continually starting debates about the answers, and ordering Galloway to withdraw, he manifestly show'd that he meant only to spin out the time till the end of the Session, and prevent S'r Rich'd Sutton and others from asking him any more Questions.

A little further on in the hearings (p. 47), Mr. Burke suddenly injected the question: "Have you had your pardon?" referring evidently to the fact that Galloway had at one period belonged to the Patriot party and been a member of the Continental Congress. The record proceeds as follows:

A. I have not.

Here the witness was interrupted, and ordered to withdraw.
Again called in, and proceeds in his answer to the last question.

* Whoever wishes to be fully satisfied in respect to the indiscriminate plunder and wanton destruction of property committed by the British soldiery, in the county of West Chester, in the province of New York, and in the towns of Newark, Elizabeth-Town, Woodbridge, Brunswic, Kingston, Prince Town, and Trenton in New Jersey, are referred to the Pennsylvania Evening Posts of the 24th and 29th of April, 1st, 3d, and 10th of May 1777. — *Note in the pamphlet.* The extract will be found on p. 43 of the publication.

[1] [Member of Parliament from St. Albans, Hertfordshire. W. C. F.]

A. I did not apprehend, and I am perfectly conscious in my own mind, that I have never done anything that requires a pardon. I beg that I may have an opportunity, in a brief manner, of explaining my conduct in Congress — and then I will proceed to show that a pardon was denied, as unnecessary. — I went into Congress at the earnest solicitation of the Assembly of Pennsylvania. — I refused to go, unless they would send with me, as the rule of my conduct, instructions agreeable to my own mind; — they suffered me to draw up those instructions; — they were briefly, to state the rights and the grievances of America, and to propose a plan of amicable accommodation of the differences between Great Britain and the Colonies, and of a perpetual union; I speak now from the records of Pennsylvania, where these instructions are. Upon this ground, and with a heart full of loyalty to my Sovereign, I went into Congress, — and from that loyalty I never deviated in the least.

Mr. Mauduit appends to this the following marginal note:

Have you had your Pardon? Lord North, L'd Germain, the Attorney General, and all the ministers, were at this time gone to Council upon the Spanish Declaration. When Mr. Burk took the advantage of their absence to raise a debate of three hours, in order to hinder Mr. Galloway's examination from going on: or rather to sett aside his Evidence upon pretence that he had not had his pardon. But the Speaker at length put an end to it.[1]

Further on in his examination (p. 70) is the following, bearing directly upon Sir William Howe's failure to follow up his successes both on Long Island and on the Brandywine:

Q. Had Sir William Howe a strong army with him?

A. I should think a very strong army, considering the force in opposition to him.* — The force in opposition to him at the battle of

[1] [Hutchinson notes in his *Diary*, under date June 18: "Last night, when Sir Ric'd Sutton was putting questions to Galloway, Burke stood up and asked if he was not a Member of the Congress? Galloway answered — 'Yes;' then followed — 'Have you had your pardon?' — the answer — 'No;' and as Galloway was giving a reason, viz. that he had been guilty of no offence but for his loyalty, was pronounced by the Congress a capital offender against the new States, there was a cry — 'Withdraw! withdraw!' and by means thereof two hours of the short remains of the session were spent, and all the charge which would have been bro't against Howe in that time avoided; and then Galloway was called to the Bar again." — *Diary and Letters*, II. 261. W. C. F.]

* The force of an army does not consist in numbers, so much as in military appointments and discipline. — The British army had the best appointments, and was composed of veterans, high-spirited and perfectly disciplined troops. —

Brandy Wine, did not consist of more than 15,000 men, the army and its attendants, including officers and all, save about 1000 militia, for whom they could not procure arms.

Q. How many of the King's loyal subjects joined the army of Sir William Howe on that march?

A. There were many came into the camp, and returned again to their habitations — I do not know of any that joined in arms — not one — nor was there any invitation for that purpose. — By Sir William Howe's declaration, which is before this Committee, he only requested the people to stay at home.

The final pamphlet in this volume is entitled "Letters to a Nobleman, on the Conduct of the War in the Middle Colonies." This pamphlet is by Galloway, and prefixed to it is a very excellent map of the field of operations on the Brandywine. The following extract from page 42 is of interest:

Instead of those measures which humanity and reason pointed out to win over his Majesty's deluded subjects to their duty, others, which could not fail to alienate their minds from his royal person and Government, were pursued, or suffered to be pursued. A Proclamation was indeed issued in his Majesty's name, promising protection to all the inhabitants who should come in and take the oaths of allegiance. Thousands came in wherever the army marched, and took the oath, but the Royal faith, pledged for their safety, was shamefully violated. The unhappy people, instead of receiving the protection promised, were plundered by the soldiery. Their wives and daughters were violently polluted by the lustful brutality of the lowest of mankind; and friends and foes indiscriminately met with the same barbarian treatment.

If the British General was indolent and neglectful in putting a stop to these cruelties, the Rebel Commander and the new States were not so in converting them to their own benefit. Every possible

The Rebel army was not only very badly appointed, but consisted of new raised undisciplined troops, commanded, for the most part, by officers unskilled in military knowledge. Hence we find, that the British troops have met with no difficulty in defeating them, however advantageously posted, and whenever they have been attacked. But in the five several complete defeats at Long Island, the White Plains, Quibble Town, Brandy Wine and German Town, there was no pursuit after victory. This important part of military policy, so essential to final success, was in every instance omitted; and the Rebel General, with the assistance of the Rebel States, suffered to collect and recruit his diminished army, to renew the appointments lost in battle, and to appear again in force in the field. Under a conduct so erroneous, what avail superior numbers, discipline, or appointments? Force, however great, is useless unless exerted, and victory is vain unless pursued. — *Note in the pamphlet.*

advantage was made of these enormities.* Affidavits were taken of the plunder, and of every rape. They were published in all their news-papers, to irritate and enrage the people against his Majesty and the British nation. The British soldiers were represented as a race of men more inhuman than savages. By these means, the minds of many were turned against the British Government, and many in desperation joined the rebel army. The force of the rebels was increased, the British weakened, and the humanity and glory of Britons received a disgraceful tarnish, which time can never efface.

However great these mischiefs might be in strengthening the force of the rebellion, they did not end here. The suffering of the soldiers to plunder, and commit other outrages, was a dangerous relaxation of discipline. It rendered them avaricious, neglectful of their duty, and disobedient to command. To this cause only the loss of Trentown, and all that train of heavy misfortunes which attended it, can be imputed; because, it is a fact, that Colonel Raille,[1] although he had sufficient notice of the enemy's approach, could not form his men, who, more attentive to the safety of their plunder than their duty, and engaged in putting horses to and loading their waggons, became deaf to all orders. In this state they were surrounded and taken.

The third volume of the Mauduit Collection contains, among other tracts, "The Examination of Witnesses in the House of Commons on the Conduct of Lord Howe and Sir William Howe," taken from the Parliamentary Debates for 1779.

This purports to be a verbatim report of the examinations of Lord Cornwallis and Major-General Grey, and others. The publication is, of course, familiar to all historians of that period, and free use has by them been made of it. I propose, therefore, here to reproduce certain statements made by witnesses bearing directly upon conclusions reached by me in the papers referred to.

The first is from the examination of General Robertson (p. 278), and relates to the outrages in way of plundering, etc., inflicted upon the inhabitants of the districts made the seat of

* See the affidavits proving the indiscriminate and wanton plunder committed by the soldiery in the provinces of New York and New Jersey, with a number of rapes perpetrated on the wives and daughters of the inhabitants, in the Pennsylvania Evening Post of the 24th and 29th of April — 1st, 3d, and 10th of May 1777. — *Note in the pamphlet.*

[1] Rahl.

war, and visited on those there living indiscriminately, whether Loyalist or Patriot:

Q. Did the troops plunder the inhabitants as they passed through that country?

A. There was a great deal of plundering.

Q. What effect had this on the minds of the people?

A. Naturally it would lose you friends and gain you enemies.

Q. Would it have been possible to have prevented the troops from plundering?

A. The commander in chief gave orders against it repeatedly. A number of officers who lately came into the country, and entertained a notion that Americans were enemies, perhaps did not take enough care to prevent soldiers from gratifying themselves at the expence of the people, so that plundering was very frequent.

The following further extract from General Robertson's evidence (p. 325) relates to the same topic:

Q. You have said there was a great deal of plundering; will you ascertain where and when?

A. The places where I first saw the effect of it was on Long Island; the next on New-York Island.

Q. Do you know of a great deal of plundering in any other part of the country?

A. It has been observed, that these are the only two places in which I accompanied the army; I have heard that in other places there has been a good deal of plunder committed.

Q. Will you explain the degree of plunder, within your own knowledge, on Long Island and York Island?

A. When I landed first, I found in all the farms, the poultry, cows, and farm stocked; when I passed sometime afterwards, I found nothing alive: these were some reasons that appeared publicly to me: I saw some men hanged, by Sir William Howe's orders, for plundering; and I have heard, that after Mr. Washington took the Hessians at Trenton, he restored to the inhabitants twenty-one waggon-loads of plunder, he had found among their baggage.

Q. Did you ever hear of any orders from the convention of New-York, for the inhabitants to drive off their cattle and stock?

A. I have seen such a publication.

Q. Did not Sir William Howe give repeated orders to prevent plundering.

A. I have said so.

Q. Do you know, or ever heard, that the Hessian troops were encouraged to go to America by the hopes of plunder?

A. I have heard say, that the Hessians, before they went away, were told that they were going to a country where they would have great plunder; but I don't say, that any Hessian officer ever made use of expressions of that sort.

Q. Do you believe that the Hessians looked on America as an enemy's country.

A. I believe so: the Hessians were ignorant of the people; when they saw these people in arms, it was natural for them, who did not know the people, to think they were enemies; people better informed, too much adopted the notion.

Q. From your experience of war in Europe, did you observe, that there was more plundering in America than there would have been by an army in an enemy's country in Europe?

A. The practice of armies in Europe is very different; some people in Europe would not let their army plunder, even in an enemy's country.

Q. Are you of opinion that Sir William Howe took every proper means to prevent plundering in his power?

A. I dare say, by Sir William Howe's orders, and by what I know of them, he wished to prevent it; and, I dare say, he took the means that occurred to him to do it.

Q. You have said, "A number of officers lately come into the country, and who entertained a notion that Americans were enemies, perhaps did not take enough of care to prevent soldiers from gratifying themselves at the expense of the people, so that plundering was very frequent:" — you will therefore explain what officers you meant, and what particular facts you alluded to?

A. I had been asked if I stopped plundering; I answered, "Yes": in order to account for that not happening in every other brigade, I said, that the officers, who had lately come into the country, had not the same sense that I had of the merits and dispositions of the people; and that it was from this want, that the commander in chief's orders were not carried into execution in every other brigade; the reflection was general and did not allude to any particular fact.

Q. Do you know of any particular instance, where the orders you allude to were disobeyed?

A. As often as plunder was committed the order was disobeyed.

Question repeated?

A. I don't know any other answer I can give; I should wish to satisfy every question that is asked; I don't know how to satisfy it more.

Q. From the evidence you have before given, can you say, that

any officers did not do their duty, in preventing plundering, agreeably to the general's orders?

A. I have no particular accusation against any officer.

Q. You have said, that in your own brigade, after your orders had been read to the soldiers, there was no more plundering by the soldiers of that brigade; how long did you command that brigade after the time you speak of?

A. Till the 16th of September, when I went to the command at New York.

Mr. Ford presented the following paper:

Mr. Adams has re-examined the strategy of 1777 in a new light, and presents the remarkable succession of strategical mistakes — if not blunders — committed by the commanders of the two armies.[1] While following his statement of facts I was led to look into a series of attacks upon the American service of Sir William Howe, and his brother Lord Howe, published in 1779, of which a number, issued anonymously, was attributed to the pen of Israel Mauduit, once agent of Massachusetts in England. In looking for copies of these issues I fell in with three volumes of tracts on this very subject in the library of this Society, and what gave them unique interest and historical value was the fact that they had belonged to Mauduit and contained many manuscript annotations by him and by another hand. The latter I could not at first identify, but the writer proved to be Joseph Galloway, the refugee from Pennsylvania. Such a collection deserved some study and notice, and I have prepared an account of them, which is appended to this paper. With such material before me, I was led into an attempt to trace Mauduit's writings and, incidentally, his connection with the parliamentary inquiry into the conduct of the Howes. In making this excursion it seemed proper to show the effects in England of the campaigns of the Howes, and the course pursued by the King's government towards those two officers, as a supplement to Mr. Adams's two papers. The result follows.

On the evening of December 2, 1777, England was startled by the news that Burgoyne had surrendered his army to Gates. The first rumors were based upon unofficial intelligence, but the authentic despatches soon followed. The feeling of despon-

[1] Pp. 13–65, *supra*.

dency was temporary, and measures were taken for carrying on the war with increased vigor. The loss of an army from which so much had been expected could not but give rise to speculation upon the cause. And as time passed, and the situation in America and the relative positions of Howe's and Burgoyne's armies were better understood, a question of Howe's military capacity and fitness for his command became a matter of debate. Not a few good authorities had passed severe judgment upon his movement to the southward, when it was known in England. Dundas said he gave up all hope of success as soon as he learned that the main army had gone south. Sir James Wright condemned the move, as did many officers in America in letters that now began to be circulated in London. The more carefully military experts studied the situation, the more inexplicable did Howe's plan of operations become, and the more open and severe were the criticisms passed upon his judgment.

This hostile comment upon Howe was accompanied by an increasing amount of criticism on the Ministry. Most of this came from the Opposition, of which the Earl of Chatham was the titular leader. He denounced the "wanton temerity and ignorance of Ministers." Fox claimed that every measure undertaken by Germain had failed, and Barré believed that the minister who had planned the expedition should alone suffer for its failure. Burke indignantly rebuked Germain for his ignorance and foolish credulity. North invited an inquiry into the conduct of Germain, not doubting his acquittal of all blame. For himself, he had always wished for peace, and would gladly lay down his place and honors if by that means peace could be attained.[1]

The Ministry faced an inquiry that could be most embarrassing, for Burgoyne's act must be met by an inquiry of some kind, and Burgoyne's story would furnish only one side of the disaster. To institute an inquiry into Burgoyne's expedition would inevitably lead to an inquiry into Howe's alleged negligence to co-operate with Burgoyne, and that investigation, if thorough, would involve the conduct of the war since Howe succeeded Gage, in the time of the siege of Boston. Nor could the political features be entirely separated from the military;

[1] *Parliamentary Register*, VIII. 104.

but to deal with the political aspects would raise questions or discover negotiations that might strengthen the colonies in rebellion. If the orders issued to Burgoyne were imperative, the person who framed those orders must account for them and their details, and Lord George Germain signed the orders and instructions. The King suggested that a Court of Inquiry would not be regular, but that all the generals of equal or superior rank to Burgoyne who had served in America should be assembled to consider the causes of the failure of the expedition. Some members of the Cabinet objecting to any inquiry, Germain did not think it wise to press the matter;[1] but a call for papers by the House was granted.

Early in January, 1778, rumors were current in London that Howe was to be recalled. What made the rumors the more significant was a story that some leading officers under him had announced their determination to demand their recall if he remained in command. The names of Clinton, Erskine, Grey and Leslie were mentioned as having sent such a demand, and they described the officers of the army as "universally discontented."[2] In official circles the tone of Germain's letters to Howe was recognized as foreshadowing a recall. D'Oyley, in Germain's office and warmly attached to the Howes, spoke to his chief upon the subject, but left an impression that required explanation. This the King asked of North, who thus reported:

That it was not only necessary to be determined whether the two brothers should continue in the command, but, if it should be determined that they are to continue, it will be requisite, after the letters that have been written to them, to consider how to persuade them to remain in their present situation. Mr. D'Oyley alluded to the last letters from Lord G. G., which were so cold and dry in respect to Sir W. H's successes in Pennsylvania, and left him in doubt as to his continuance in the command, which he thinks will have made him more fully bent upon quitting the

[1] Donne, *Correspondence of George III with Lord North*, II. 156.

[2] Hutchinson, *Diary and Letters*, II. 176. The rumors were undoubtedly exaggerated, yet evidence exists of the discontent and disapproval among the officers serving under Howe. Mauduit (p. 152, *infra*) hints that Grey was under such obligations to Howe as to neutralize the testimony he gave in Howe's favor. Trevelyan, Pt. III. 233, has given high praise to Grey.

command.[1] Mr. D'Oyley says that he never thought it would be either *unsafe* or *imprudent* to leave Lord Howe and Sir William Howe at the head of the fleet and army, but the contrary; and Lord North supposes that Lord George drew that inference from Mr. D'Oyley's expressions, which, as Mr. D'Oyley says, amounted to no more than this: That after the letters that had been written, it is necessary to consider how to persuade them to remain in the command, if it is intended that they should be continued in it.[2]

Germain, not a very estimable character himself, became distinctly hostile to Howe, and could not but foresee that in the approaching session of Parliament the question of responsibility for Howe's extraordinary conduct would be examined, and his own acts be subjected to unfriendly criticism. On January 20, 1778, Parliament met. The Ministry had taken steps to prepare for a contest by considering not only the question of a successor to Howe, but of a plan of campaign in America. The most competent military officer available, Lord Amherst, declined to accept the appointment. Clinton is said to have suggested Robertson, "that he [R.] might take all the care of the army, except fighting, and that he [C.] was his second: but this could not be, because R. was a younger officer."[3]

[1] Mauduit characterizes a letter from Germain to Howe full of terms of congratulation and compliment upon his supposed successes, as "one of D'Oyley's love letters."

[2] *Lord North to the King*, January 10, 1778, in Donne, II. 117.

[3] Hutchinson, II. 176. He continues: "This connexion makes probable what is reported R. said when he heard H[owe] was gone to the southward instead of N. England — 'By G— he deserves to be hanged!'" But when Robertson came before the Committee of Inquiry his note was much subdued.

"Q. Do you think that the expedition to Philadelphia by Chesapeak-Bay, undertaken in July, 1777, was at that season of the year an adviseable measure, considering the situation of the northern army when the fleet sailed from Sandy-Hook?

"A. I was not in the country when it happened. The commander in chief might have had a thousand reasons which I don't know, and therefore can form no judgment of the propriety of the measure.

"Q. Had you any opportunity of knowing the opinions of many of the officers in the army at New York, when you did arrive, on the propriety of that expedition, at that season of the year, and what appeared to you to be the prevailing opinion?

"A. I conversed with many officers on the subject; many of them feared, that General Burgoyne's army would be lost, if not supported. I wrote myself, on being informed of the situation of the different armies, to a gentleman in this House, telling him, that if General Burgoyne extricated himself from the difficulties he was surrounded with, that I thought future ages would have little occasion to talk of Hannibal and his escape.

"Q. Did you ever hear any officer in America express an opinion, that General

Then followed the very probable rumor that Clinton had written to Amherst that he would not serve under Howe, and that he would not wish to command the *débris* of Howe's army.

Two days after the meeting of Parliament Fox moved for the instructions to Howe and Burgoyne. The gates were opened to the attacks of the Opposition, who could hardly be said to be governed by patriotic motives in what they proposed to accomplish. To discredit the Ministers, to gain a temporary political advantage, constituted their program of opportunism, not a sincere desire so to organize the army in America as to reach a basis for favorable terms. North was pledged to bring in a measure of reconciliation, a pledge given against the advice of the King;[1] and what he now proposed — the Commission of 1778 — pleased nobody in England, and was certain to be rejected, even laughed at, in America.[2] The folly and weakness of every measure brought forward by the Ministry in the war, the weakness and inability with which military operations had been planned, the enormous expenditures made and the increasing difficulties of raising men and funds, and, finally, the growing certainty of a war with France, and possibly with Spain, constituted a solid foundation of criticism for the use

Howe's voyage to the southward was the most powerful diversion that he could have made in favor of the northern army?

"A. No. It was certainly a diversion, but could not be the most powerful. A movement to Albany would have been a more powerful diversion.

"Q. If, when General Howe embarked at Staten-Island for Philadelphia, a corps had been sent by sea to alarm the coasts of New England, what effect would such a measure have had in favour of General Burgoyne's operations?

"A. A threatened invasion naturally keeps people at home, especially militia, who may march or not, as they please." — *Parliamentary Register*, XIII. 281.

And on another day he was asked:

"Q. Had you been at New-York in July, 1777, and Sir William Howe, on the embarkation of his army, had asked your opinion, and at the same time had stated that he had received intelligence from General Burgoyne, of General Burgoyne's march from Ticonderoga towards the North River, would you have advised Sir William Howe to proceed with the army to the Chesapeak Bay?

"A. I should have been unacquainted still with the motives that Sir William Howe had for going to the Chesapeak, and therefore could not have weighed in my own mind the advantages and disadvantages of different expeditions.

"Q. Have you since heard any circumstances or motives that would have decided you to answer that question in the affirmative?

"A. I know a number of advantages that would have arisen from the one, but what advantages might have arisen from the other I can't say.

"Q. What do you mean by the one?

"A. I mean by going up the North River." — *Ib.* 312.

[1] Donne, II. 125. [2] Hutchinson, II. 181, 182.

of the Opposition.[1] Facing such a situation, North wished to resign, and in tears begged the King to relieve him of office. Germain also threatened to retire,[2] but was persuaded to remain, and D'Oyley left or was put from his office, thus removing from official circles a strong influence in favor of the Howes. Their recall was determined upon, and Clinton was named as Sir William's successor. North carried his measure of conciliation, and both Howes were named in the Commission, on the chance of their still being in America when Carlisle, Eden and Johnstone should arrive. The brothers could hardly have taken a real part in the negotiations to be conducted by the Commission had they been aware of the low opinion generally entertained for them.[3] "Never were men more universally condemned," wrote Hutchinson, "than the Howes. It is now said, two men of less capacity were not to be found."[4]

In this time North, in his despondency, again and again urged his resignation upon the King, who refused to accept it, as to lose North would mean a galling subjection to Chatham. Never had confidence in the administration been so low, and only the declaration of war with France and the death of Chatham enabled the North Ministry to continue in place. The Opposition brought forward motions upon particular points of the conduct of Administration, but the Commons voted them down, for the majority invariably rested on the side of power and patronage.

[1] *Marquis of Rockingham to Lord Chatham*, January 21, 1778. *Correspondence*, IV. 488.

[2] For a characteristic reason. He felt affronted because the King had bestowed upon Sir Guy Carleton the sinecure Government of Charlemont, as a reward for the past services of a very deserving officer. Mahon, *History*, VI. 219. He had other reasons to advance. "When I consider that this whole measure of conciliation, the choice of commissioners, etc., has been carried on not only without consulting me but without the smallest degree of communication, and when I reflect upon the Chancellor's [Bathurst] conduct towards me, which must have arisen from finding that he might without offence vent his ill-humor upon me, and in short, from various little circumstances, I cannot doubt but that my services are no longer acceptable." — *Germain to General Irwin*, February 3, 1778. Hist. MSS. Com., *Report on Manuscripts of Mrs. Stopford Sackville*, I. 139.

[3] In fact Sir William Howe never acted for one moment under this commission.

[4] Hutchinson, II. 184. Sir William Howe expected to be removed; but Germain conveyed to him (February 4, 1778) the royal acquiescence in his request to resign his command if Clinton were in America. Bathurst, seeing this letter, "requested the King's permission to have my name no longer stand in the list of his confidential servants." Thurlow was named in his stead, June 3, 1778.

At this crisis Mauduit comes into notice. He had long been engaged in commerce, and had held the agency of Massachusetts while Hutchinson was governor of the Province. For his writings as a pamphleteer on the German war (1760–1761) he received the favorable notice of government, and it is said a pension for life. While agent for Massachusetts, he upheld Hutchinson, and wrote a not very able treatise on the charter history of the colony. The outbreak of the Revolution found him still supporting the royal officers in Boston, and naturally much opposed to the patriot side of the controversy. He held close and friendly relations with the American refugees in London, and from the Hutchinson *Diary* is learned about all that is known of his activity at this time.

He appeared in print in the very dark days of the North Ministry, when peace with the rebellious colonies was much discussed. Hutchinson on March 27, 1778, says: "Mauduit brought me in the evening a printed sheet of his own composing, in favour of declaring the Colonies independent. He appears to me to be employed by the Ministry. It is difficult to say how the people will receive it. If he has done the thing against his own judgment, it is something very different from his general character."[1] Welbore Ellis did not believe that North knew anything of it, and had no high opinion of Mauduit's judgment, though believing him to be an honest man. On the other hand, Sir James Wright had no doubt of its being inspired by the government, as he had heard the same language for some time. But, a peace measure being brought into Parliament, it met with opposition from Lord Chatham, who made his last speech upon that subject. The discussion of the matter was not renewed, and it is hardly probable that Mauduit's writing represented any ministerial view, but reflected the intention of the Opposition and expressed his own conclusions. After the vote in the House of Lords, Mauduit received

[1] *Diary and Letters*, II. 196. This broadside was printed in *Winnowings in American History*, Revolutionary Broadsides, No. 1, with an introductory note by Paul Leicester Ford. The copy from which he took the text bore an endorsement, in a writing not identified, "Proof of what I have always believed, that L—d N—th was lukewarm in his endeavours to subdue the rebels." Arthur Lee fully believed that the "handbill" was written by Mauduit, under the direction of Lord North, and circulated through England by order of Administration. But Arthur Lee is a very good recorder of what he wanted to believe, and did not confine himself to facts.

some wigging for his interference. "20th [April]. Sir H. Houghton called. He wonders at Mauduit's publication -- was at Mr. Jenkinson's when the thing was talked of. I did not think Jenkinson would have run to that extreme. Sir H. H. says he told Mauduit that he wondered at his handing about such a paper: and told him though Gov'r H[utchinson] might have done such a thing with better grace, yet he should have thought it officious in him to have dictated such a measure."[1]

If this leaflet represented an indiscretion, Mauduit was not discouraged from entering upon a discussion which called out his most notable writing. He undertook to voice current opinion on the Howes and their failure to use their opportunities, to examine their conduct from the military point of view. From what source the inspiration came has never been determined, and it is reasonable to believe that he had no personal hostility to either brother. He might lay claim to some military knowledge, as he had written much on the Seven Years' War; but that alone will not explain why he was among the first, the most persistent and the most bitter of the critics of the Howes. With this hostile intention he wrote and published anonymously, *Remarks upon Gen. Howe's Account on Long Island, in the Extraordinary Gazette of October* 10, 1776.[2] The sequel does not give a very exalted opinion of Mauduit's courage. For Hutchinson notes:

5th [May]. Called on Mauduit at his Compting-house in Lime Street. Never saw him in such distress: opened himself with freedom: professed that when H[owe] arrives he shall be prosecuted for the Pamphlet he has published: has heard nothing suggested. I told him his nerves were effected: every mole-hill was a mountain: mentioned to him my lying awake whole nights in America, fearing I should be called to account in England for neglect of duty to the King at the time of the Confederacies — at least, I concluded I should suffer much in my character for yielding to the demands of the people when my sons were in danger. He seemed relieved. The Bishop of Exeter asked me at Lambeth what ailed Mauduit? I had no suspicion this was his trouble."[3]

8th. Mauduit left alone, was in the horrors about his book. Dr. Apthorpe said he had read Mr. Mauduit's book with great pleasure. "My book?" [Mauduit loquitur.] "I don't own it: I beg you would say I disown it: how cruel is it ——" etc.

[1] *Diary and Letters*, II. 202.
[2] Pp. 155, 162, *infra*.
[3] *Diary and Letters*, II. 203.

I — when the company was gone — told him he would put people upon making criminal what was not so, if he discovered such concern. "Oh! I did not know — would give 1000£ he had had nothing to do with it. What, if he should be called upon — must accept a challenge, or maybe, be sued in large damages." It is the strangest conduct I ever saw in him. He attacked Mr. Pitt with ten times the acrimony. Nobody besides himself sees anything exceptionable.

9th. Mauduit in the evening, in a strange disturbed state of mind. I did what I could to quiet him, and endeavoured to dissuade him from a measure very prejudicial to him, and which, if he was less disturbed, he would not have thought lawful.

10th. I wrote to Mauduit. He called in the evening and thanked me.

14th. M[auduit] called in the evening. My letter on Sunday stopped him from doing what would have hurt him exceedingly. He said to me again, it was a good letter. I assured him if any man had offered me 500£ to suffer him to have done what he proposed, I would not have taken it.

We are left wholly in the dark as to what Mauduit intended to do, but his fear would indicate that he did not feel so well supported by authority as to be in a position to ignore the possible hostility of Howe. This does not exclude the idea of his writing by ministerial instruction, but it does narrow the influence to an individual member of the Ministry rather than to the Ministry collectively.

The chief actors and supposed delinquents were now on their way to England. Burgoyne arrived very unexpectedly in London on May 14, and the King refused to see him. A board of officers was appointed to examine into his conduct, but he had a more effective way of making known his own position. As a member of Parliament he took his seat,[1] and on May 23,

[1] On May 28 Wedderburn characteristically objected to Burgoyne's sitting in Parliament "whilst a prisoner." So Lieutenant-Colonel Edward Smith, writing to William Eden at the time, said the Court of Inquiry would be found "nonsense, no general officers will ever try the prisoners of the Congress. They will not believe me, but a few days will clear it up. The House of Commons seem inclined to ask him questions, but surely this cannot go deep. His return is unwise, his conduct since reprehensible, and his situation truly disagreeable. What should be done is evident (sent back), but we are not in an age of sense or spirit, of paliatives and temporizing, yes, which will drown us all at last. . . . June 2d. In these ten days which have elapsed Burgoyne has been found not amenable to tryal or enquirys. He flew to Parliament and there created much heat, disturbance, and trouble, all which have turned against him. He has taken the

when a member (Vyner) expressed a wish to ask him a question, Burgoyne replied that he would answer any question, and should even declare some things that would astonish everybody. Three days later Vyner moved for a committee to inquire into the convention of Saratoga, and Burgoyne, seconding the motion, gave an account of his own conduct. Such an act further displeased the King, who thought it "rather particular [peculiar?] that Mr. Burgoyne should wish to take a lead in Opposition at a season when his own situation seems to be so far from either pleasant or creditable."[1] As if to involve himself still deeper in the opinion of the Administration, Burgoyne printed the substance of his speech and gave it a wide distribution.[2] Parliament was prorogued June 3.

With Burgoyne, Mauduit had little or no concern, and he does not appear to have considered him even as a useful instrument in attacking Howe. The reason is not clear, unless it is assumed that Mauduit was in the pay of the Ministry, or of Germain, in which case he would follow their policy of ignoring the General and his demands for a hearing. Burgoyne's pamphlet was in circulation by June 22, when it caused much talk and speculation upon his future. On that day Hutchinson notes:

most hostile steps possible, and drew from Lord North very sharp, keen reproof; and from Mr. Sollicerter Gen'l [Wedderburn] a doubt and almost a question upon his right of sitting in Parliament not being a free man." — *Stevens Facsimiles*, 513. In fact a board of five general officers decided that he could not be tried by court martial, till released from the terms of the convention. *Parliamentary Register*, XIII. 411. Burgoyne was ordered to return to America, but pleaded his ill health and went to Bath. Germain denied that he was the author of the order to return, but asserted that it was framed by the Cabinet, and upon the King's direction.

Burgoyne stated in Parliament, that "on his arrival he was cordially and friendly received by the American minister, until it was found that no temptation, however powerful and hazardous, however pregnant with danger, could allure him or frighten him from his fixed and immovable purpose, of vindicating his personal honor, which would of course call the conduct of ministers, particularly of the noble Lord [Germain], over-against him into question. From the instant this purpose was clearly understood, his character and fortunes were proscribed; and every measure was adopted most likely to compleat every species of ruin, and to prepare the public for the daily falsehoods and misrepresentations which were set forth in print, or conversations." — *Parliamentary Register*, XIII. 410.

[1] Donne, II. 198.

[2] *Substance of General Burgoyne's Speeches on Mr. Vyner's Motion, on the 26th of May; and upon Mr. Hartley's Motion on the 28th of May, 1778. With an Appendix containing General Washington's Letter to General Burgoyne.* London: J. Almon, 1778.

At Lord Townshend's. It is said that when Burgoyne arrived Charles F[ox] asked him his plan? To charge Howe with leaving him to be sacrificed. "If that's your plan we must forsake you: we are determined to support H[owe]." The next news — that Ministry is chargeable; and his speech in the H[ouse], and his new publication, are conformable to this account.[1]

Howe reached London July 2, and was received at Court! Howe had made his peace with the King, while Burgoyne was an outcast. But Howe did not intend to be an instrument in the hands of Fox and the Opposition. In a long conversation with the King he declared very strongly that nothing should make either his brother or himself join the Opposition; but Lord Germain, and his secretaries Knox and Richard Cumberland, having loaded him with obloquy, he should be allowed some means of justifying himself.[2] Evidently Mauduit, if a tool of North, could not afford to attack Howe; but if he was a tool of Germain, he might run the risk on behalf of his patron. He must have been in a position to receive or have knowledge of the complaints against the Howes on the part of the subordinate officers in army and navy, and with a turn for newspaper contribution he served as a medium for communicating them to the public. Did Germain supply him with material from his department? The remarkable statement from Germain's letter to Irwin, quoted by Mr. Adams,[3] is the only evidence available on Germain's early condemnation of Howe's southward movement, but it is on the line of Mauduit's attacks. After Mauduit's behavior in the face of Howe's return it is difficult to believe he would make further charges against Howe, unless he were well supported by some one person in high authority, and the circumstances point to Germain as that support.

Lord Howe and Johnstone reached London late in October,

[1] *Diary and Letters*, II. 210.

[2] Donne, II. 202. Smith reported to Eden the arrival of Howe, "which seems as inconsequential an event as any I ever met with or has happened. He wait[ed] on L'd G. G[ermain] just before he went to Court with Strachey; he kissed the K: hand, did not require an audience, was going away, but was call'd to the Closett." The Howes in America were disposed to be hostile to Germain, as Lord Howe advised Galloway to express a disregard for them on his coming into England," as the best plea for obtaining favor from the American minister." — *Parliamentary Register*, XIII. 469.

[3] P. 45, *supra*.

1778, and not a few days had passed when it was well known that the two men were at dagger's point, and Johnstone loudly laid the blame for the failure to reduce America to the Howes. The circle of American refugees who had settled in London kept in touch with the current gossip, and enjoyed not a few good sources of information. Hutchinson led in importance, but Sewall, Pepperrell, Flucker, Oliver, Auchmuty and others contributed unrest and dissatisfaction. Mauduit counted as a member of this coterie, and into it came Joseph Galloway, an able man, who had ruined his reputation in America by his moderation, his opposition to the measures of Congress, and his finally becoming a loyal subject of the King. This reputation he carried to England, where he hoped to find greater favor than had been accorded to him by the British generals when they sought his support and advice; but he came under a cloud. He had been a member of the Continental Congress, and had taken a prominent part in the first session, giving his adhesion to its measures. It was useless to protest his subsequent actions, his risking life and fortune for the King, and his honestly loyal intentions in sitting in the Congress, believing that he could direct its proceedings so as to favor the royal cause. The Ministry used him so far as he could give useful information, but both ministers and people refused to trust him. He became a bitter opponent of Howe, speaking freely of his oft repeated neglect to pursue an advantage, and giving instances of his persisting in a policy that the information at hand showed to be the worst possible. With Galloway and Johnstone active in criticism, material for a writer like Mauduit would not be wanting; and assuming one back of him ready and able to maintain his courage to the sticking point.

The times were full of rumor and of change. The quarrel between Keppel and Palliser had just been settled, an unfortunate incident for the navy.[1] Letters criticising Howe and the conduct of the war in America passed from hand to hand, and that ministers of the crown supplied some of this material did not decrease the weight of the criticism. From

[1] One instance of the amazing incapacity of those in power to judge of fitness may be found in this case of Palliser. When he was defeated in his attempt to discredit Keppel, and was himself discredited, it was proposed to give him the command of the fleet in North America, in place of Lord Howe, recalled! Donne, II. 226.

the coffee-houses these charges passed into the street, and from the street to the newspapers, whose license feared little interference from a prosecution for libel.[1] Hutchinson notes on January 12, 1779:

A well wrote but severe letter to Sir W. Howe in the P. Advertiser, undoubtedly by M[auduit]t. He desired me some time ago, if I saw anything in the paper, and anybody suggested it to be his, to say I knew nothing of it. Indeed, I do not know anything of this, but from the style and sentiment.[2]

Howe thought the time had come to act, if only to put some check upon the freedom with which his own acts and those of his brother were treated in the public prints. Upon his motion the correspondence that passed between Germain and himself, from August, 1775, to November, 1778, was laid before the House.[3] At this time the King and Minister were considering, not what should be done to Howe, but what could be done for him. "The only thing that could suit him would be a good government: Minorca would not do, for he is junior to the Lieut.-Governor; but Murray may be appointed Governor, and Howe Lieut.-Governor, which is equally good, or some one else appointed to the Lieut.-Government, who may vacate a Government for Sir W. Howe."[4] As Lord Sandwich had proved no brilliant success in the Admiralty, Lord Howe stood in the line of succession, for the quarrel between Keppel and Palliser had put both out of running. But Howe demanded conditions which the King was unwilling to grant, and by March 9 the royal hand wrote to Lord North that "Lord Howe

[1] Yet Horne Tooke was tried in 1777 for libel in charging the troops employed against the Americans with murder. The libel was described as seditious, and as being "of and concerning his Majesty's government and the employment of his troops." The terms would cover Mauduit's activities.

[2] *Diary and Letters*, II. 239.

[3] This motion was adopted February 17, 1779, and the papers were submitted by Thomas De Grey, under Secretary of State in the American Department, two days later, showing that the call had been expected and provided for. The *London Chronicle* of April 22–24 contained an advertisement of the "Howe Papers complete, and the Remainder of the Canada Papers," all published this day in Nos. 66, 67, 68 and 69 of the *Parliamentary Register*. Some previous numbers had also been filled with the Howe correspondence. This correspondence forms pp. 253–483 of the *Parliamentary Register*, XI. Mauduit's annotated copy is noted p. 144, *infra*.

[4] Donne, II. 229.

may now be ranked in Opposition, and therefore I shall not say more on that head."[1] A debate had occurred in the House on the previous day upon a motion of Fox on the state of the navy. In bringing forward the motion Fox had made some pointed, but not uncomplimentary allusions to Lord Howe, and Howe had been tempted into taking a part in the discussion. His position soon revealed itself in a veiled threat. "It was well known that administration and he had an affair to settle; that he had pledged himself to the House to bring on an inquiry into his and his brother's conduct."[2] The correspondence and papers had been called for; but he could say that,

> he was deceived into this command; that he was deceived while he retained it; that, tired and disgusted, he desired permission to resign; that he would have returned as soon as he obtained leave, but he could not think of doing so while a superior enemy remained in the American seas; that as soon as Mr. Byron's arrival removed that impediment, by giving a decided superiority to the British arms, he gladly embraced the first opportunity of returning to Europe; that, on the whole, his situation was such, that he had, in the first instance, been compelled to resign; and a thorough recollection of what he suffered, induced him to decline any risk of ever returning to a situation which might terminate in equal ill-treatment, mortification, and disgust. Such were his sentiments respecting the motives that induced him to resign the command in America; and such for declining any future service, so long as the present ministers remained in office; for past experience had sufficiently convinced him, that besides risking his honor and professional character, he could, under such counsels, render no essential service to his country.[3]

In thus speaking, he had taken an irrevocable step; Howe was to retire from the service.

On April 29 Sir William Howe made his defence to the House, the correspondence being now before the members.[4] The repugnance of the ministers to make any declaration upon his conduct in America had driven him to call for these papers and insist upon an inquiry. North was opposed to granting an inquiry, and even after the preliminaries had been gone through,

[1] Donne, II. 240.

[2] *Parliamentary Register*, XII. 76. It is curious to find how often Lord Howe spoke in Parliament, for he had a reputation for taciturnity.

[3] *Parliamentary Register*, XII. 77. [4] *Ib.* 319.

and Howe had made his defence, the minister discouraged the calling of witnesses and the opening of an inquiry that could satisfy no one, no matter what the event, and that must interrupt the King's ministers in planning and executing measures for the good of the country. Personal hostility to the Howes he was incapable of, but he had to bear the burden not only of his own ineffectiveness, but of the real incapacity of the American Secretary, Germain, and of the head of the navy, Sandwich, both of whom suffered from qualities that did not pertain to their offices in the Cabinet.[1] Unable, or unwilling, to enter into a defence of their conduct, and unable to make a change in the heads of those two great departments of administration, North could only strive to quiet criticism, to divert attack and to get along as best he could. To speak soft nothings about the Howes, to flatter mildly and in a spirit of propitiation, seemed to offer the easiest way out of his difficult position. Above all, if the assault of the Opposition should be directed not at the Howes, but through them at the Ministry, no question could arise on the proper course to pursue. If any sacrifice was to be made, the Ministers should not be the victims. The motion for an inquiry was negatived without a division, "in an awkward and undignified manner." On the next day the King wrote to North:

> I am glad to find by Lord North's letter that the examining witnesses on the military conduct of Sir William Howe in North America hath been negatived, and that it is probable this business will not be farther agitated. My reasoning on this affair has proved false, for I imagined when once it had been brought before the House of Commons that Lord G. Germain would have thought his character had required its being fully canvassed, but to my great surprise on Wednesday I found him most anxious to put an end to it in any mode that could be the most expeditious.[2]

This situation could not remain unknown to the Opposition, who did not hesitate to assert that North was playing a game of politics, and a very unfair one. The loose expressions of approbation given to both the Howes could be only gall and

[1] Even the King said that Germain had "not been of use in his department, and nothing but the most meritorious services could have wiped off his former misfortunes." —Donne, II. 256.

[2] *Ib.* 246.

wormwood while the instruments of the Ministers were daily attacking the two brothers.

Were not the runners of administration, their tools and emissaries, in the House and out of it, constantly employed in this dirty, treacherous and insidious occupation? Were not a whole legion of newspaper writers and pamphleteers in constant ministerial pay, in order to effect this base purpose? For his part there was not a week but some scurrilous pamphlet, composed of a mixture of plausible reasoning, pompous expressions, misrepresentations, and artful invectives against the conduct of the commander in chief, was left at his house. The authors were known, and were known to be under the wing of government; paid and caressed, placed and pensioned by them; one in particular no less distinguished for his spirit of adventure, he meant a worthy northern baronet, who occasionally acted in the character of judge, historian, pamphleteer, and recruiting officer.[1] Such were the men, such were the affected language and insidious arts of administration. They basely endeavored to effect in private, what they dare not own in public. They heaped commendations in that House on the hon. commander in chief, while they exerted every effort by indirect means to disrobe him of his honor and reputation out of it; and permitted daily, without contradiction or even pretending to support their own opinions, accusations to be made against him, in the face of the nation.[2]

Exactly what happened is best shown in a letter written by Wedderburn to Eden on the day of the reversal in plan:

I wonder you did not feel what struck me so strongly to night. L. George had observed a profound silence about the conduct of Howe, no answers made to any of Howe's charges nor any attempt to attack him while the examination was open; that seeming to be closed, without any fresh provocation from Howe who had not said a word upon the motion of this day, L. George in answer to Burgoyne points a direct attack upon Howe in two Instances, both perhaps well founded. He complained on Friday that the Inquiry had been stopt without his being heard, tho we know it was his own choice, could one give countenance to that complaint by persisting after his speech to stop it. Was it certain that the small majority we had on Thursday have followed us after a direct charge against Howe upon those Points to which we had refused to hear his witnesses? Rigby's declaration made that more hazardous which I

[1] He probably means George Johnstone, though he was not a baronet.
[2] Thomas Townshend. *Parliamentary Register*, XII. 382.

had before thought very uncertain, but before he spoke the sensation I felt (by which one is very apt to calculate the opinion of the House) was that an attack from a Minister after the evidence rejected ought to open the Inquiry.

If L'd George had said the same things before the last Vote Howe and he will be upon equal terms and their different opinions would have given no very material reason against the resolution of Thursday. But after L. George had given a silent Vote for that question, an attack upon Howe upon a point not explained by any Letter necessarily opened the Inquiry. I advised L. North to take it up directly after Fox had spoken and to agree to call L'd Cornwallis. L'd George was averse to this, and the good Humour of L. North would not let him take that Line. But after Rigby's Speech I thought his Complaisance was become very dangerous, for it would have been a very unhandsome situation to have been beat or very hard run.

L. George is not more dissatisfied than I believe the Howes are, and I am persuaded the Business will end no worse for the Vote of this night.[1]

Such a turn in affairs did not meet the desires of North or of the King, but it had been forced upon them by circumstances. The King wrote: "I owne I never thought the declarations through Lord Clarendon ought to have been so much relied on; and when once the papers were permitted to come before Parliament, and that to crown all Ld. Germain chose to bring a specific disapprobation of the landing at the head of Elk, it was impossible to resist the examining witnesses."[2]

The inquiry was well under way when a change appeared in the attitude of the Ministry. In laying before Parliament the correspondence between Howe and Germain, administration had done all that, from its point of view, could be expected of it. Were the questions limited to matters in that correspondence, the record would show what had been done; but to extend the inquiry into what had not been done, or into plans,

[1] *Wedderburn to Eden* [May 3, 1779]. *Stevens Facsimiles*, 996, where it is erroneously dated May 10, 1777.

[2] Donne, II. 248. Gibbon thought this change was brought about by "some of the strangest accidents (Lord George Germain's indiscretion, Rigby's boldness, etc.)." "Mr. Rigby and some others expect to set Howe in a bad light, and fell off from Lord North; or possibly Lord North himself did not care much if an enquiry should be made, provided it does not come from him." — Hutchinson, *Diary*, II. 256. In the Stopford-Sackville MSS. is a memorandum of questions to be used in the proposed inquiry, prepared by Germain.

opinions on the propriety of plans or on the execution of them, that could easily expand into an endless controversy. The House had decided to receive parole evidence, something apart from the papers before it, and the Ministers should have the opportunity to introduce parole evidence and to examine witnesses. The Ministry, and especially Germain, was on trial. As a body Administration had assured Parliament that the war was practicable, had asked and obtained means adequate to the attainment of the given object, but the issue had not been correspondent with the pledges given. The witnesses had thus far shown that the war was impracticable, the force in America inadequate, and the majority of the people there hostile to Great Britain. The fault lay either with the commanding generals or with the Ministry. No one, unless it were Germain, formally accused Howe of specific faults, but Howe did accuse Germain of neglecting his requisitions and denying him the force and equipment by which alone could victory be assured.

The examination had included only four witnesses — Cornwallis, Grey, Hammond and Montresor — without much result in obtaining real information,[1] when De Grey moved for the attendance of General Robertson, that he might testify on several points spoken to by the witnesses. This step was in favor of the Ministers. Edmund Burke "condemned this mode of proceeding as irregular and unfair; remarked that there were several precedent stages in the business in which such a proposition would have come with great propriety, if it had been accompanied with a fair, honest avowal, of proving the misconduct of the honorable general; but while Ministers affected in the most warm terms to applaud his military conduct, they were now, by a side wind, in a late stage of the examination, preparing to defeat and invalidate evidence which they affected to believe."

Burke proved a disturbing factor, as disturbing to his friends as to his opponents. A ready speaker and easily touched or aroused, seizing every opportunity for making a point against

[1] Of these witnesses Grey alone may be regarded as in a position to give good evidence. Cornwallis expected to return to America, and was not anxious to involve himself in disputes that could injure his standing or prospects; Hammond proved a most inconclusive witness, and Montresor was said to be under such heavy obligations to Sir William as to place him outside of impartiality.

the Ministry, he resorted to methods that proved his inconsistency as well as his zeal for his faction — party, it hardly deserved to be called. Demanding a full, open and free investigation of the Howes, he raised objection to the Ministry's proposal to summon additional witnesses. His point was well taken, that the Ministers had awakened late to a knowledge of what the inquiry might involve.

> Ministers conscious of their incapacity and criminal neglect in conducting the American war, endeavored to stifle all enquiry; but when they found, complacent as the House was, and prompt as it had often been in its obedience to the mandate of the possessors of power, that there were some requests which bore the marks of guilt and insolence on the very face of them, they instantly change their plan. We fight best, said they, after a defeat. We have given repeated assurances to the general, that we think his conduct highly meritorious. We led him to believe, that no step would be taken on our part; and under that idea we know his evidence is nearly closed, and we will now call witnesses to the bar, to controvert every syllable that has been said there.[1]

Burke had no following, and even the irregular support of Fox could not give the needed strength to influence the Parliament. The majority steadily voted for the Ministry, and the manner in which that majority was made explained the impotency of the Opposition.

> With every government prepared to vote,
> Save when, perhaps, on some important bill,
> They know, by second sight, the royal will.
> With loyal Denbigh hearing birds that sing,
> Oppose the minister to please the King.[2]

The votes were bought as openly as were the pamphleteers.

The House decided to call the desired witnesses, and among them were named Joseph Galloway, Andrew Allen and Enoch Story. Burke again protested against obtaining testimony on the loyalty and sentiments of America, from a few refugees, pensioned and supported by the government, and a set of custom-house officers, whose very existence depended upon the profits of their places and employments. His protest

[1] *Parliamentary Register*, XIII. 65. See p. 114, *supra*, for a characteristic outbreak of Burke.

[2] *Rolliad* (21st ed.), 155.

carried no weight, and suddenly on May 18 the evidence for General Howe was closed.[1]

Robertson was the first witness called by Germain, and the bluff outspoken Scotchman proved a star-witness on his side. For the first time in the proceedings a man not fearful of telling the truth so far as in him lay, and a keen observer, replied to questions without reservation. The examination, lasting three days, led him to express opinions upon matters not within his own experience, the "hypothetical question" giving him an opening to state his action under given conditions. By such means the severest condemnation of Sir William Howe's conduct of the war was developed.[2] The effect was not lost on Sir William, who charged that Robertson "had been questioned in such a manner as bore an apparent design of condemning every part of his conduct throughout the whole progress of the American war."[3] At the same time it must be admitted that the "old and infirm" General raised more questions than he answered, and his excursions into matters of which he had no personal or immediate knowledge tended to lessen the value of his opinions. To him succeeded Galloway, a much discredited witness from the start, yet better able than any man as yet on the stand to speak of the fluctuating loyalty of the people in Pennsylvania and New Jersey.

At this stage of the session, and while Galloway was still on the stand, the Marquis d'Almodovar, the Spanish ambassador, gave notice that he had received orders from his court immediately to withdraw from England — a declaration of war. So important an announcement, obliging the country to take stock of its means of conducting a war against both France and Spain, overshadowed the so-called inquiry into the American campaigns of the past. In fact, that inquiry had reached a state where it could be described as a struggle between Sir William Howe and Lord George Germain. Each protested that he was intent only on defending his own honor, and that he made no accusation against his opponent. Howe wished to ask further questions of Galloway, and to call a witness or two to

[1] *Parliamentary Register*, XIII. 101.

[2] His examination covers 103 pages of the *Parliamentary Register*. Germain complained that he could scarcely get an opportunity to question his own witness, so much were other gentlemen intent on examining him.

[3] *Parliamentary Register*, XIII. 408.

answer what Galloway had declared at the bar of the House. The session was approaching to a close, and the members were anxious to get through the matters before them. But a majority decided to give another day to the American correspondence. On June 29 the order of the day was called, but Howe was not present. A member said, it was not fair to go into an examination of evidence in his absence, especially as such evidence related to his conduct, and moved to adjourn. The record is curt, "The motion was carried without any debate. Thus the committee expired."[1]

On the next day Howe explained his absence, and begged Germain to clear his character by telling the House if he had anything to lay to the charge of himself and brother that would make it improper to employ them in the service of the country. Lord Howe was equally urgent to know why the King's Ministers had withdrawn their confidence from them. "If they had done anything that rendered them incapable of serving their country, or if he intended any future charge against them, he desired it might be declared; or if not, that all imputations might be wiped away, by his avowal that he had no accusation against them. While imputations rested on their characters unrefuted, it was not possible for them to enjoy the confidence of their country; it was not possible for them to act in its defence." It was the duty of Ministers to protect their officers to a certain extent, and not give ear to imputations suggested by inferiors, or leave them under suspicion affecting their honor. To teach that there was a surer road to favor than obedience to command, that the men should have in their eyes higher authorities than the general in command, would involve serious consequences to the country. Even in the cold outline of the debates the impassioned appeal of this usually cold and taciturn man makes itself felt.

"Lord George Germain did not speak."

Friends of the two men followed and expressed astonishment at the denial of justice. Dunning voiced the indignation that many felt. He "rose with astonishment, and should sit down with it, if the Minister for the American department remained silent." The Howes deserved the warmest praises of the country, and the Minister who should not acknowledge

[1] *Parliamentary Register*, XIII. 537.

this would deserve severe punishment, nor could the two offer their services to the country while the existing administration continued in office.

"Not one of the Ministers said a word." [1]

In this dramatic manner the inquiry came to an end, without resulting in a single resolution upon any part of the business.[2] Party had won the day, and the Ministers, as the leaders of the party, had taken their victims. The Cabinet stood together in spite of the general knowledge of bickerings and differences among the members. The collective responsibility of the King's agents, and the individual irresponsibility of each agent, for matters transacted in his department, was a new principle; for it amounted in fact to an avowed irresponsibility, both individually and collectively. That this conspiracy of silence resulted from any previous agreement among the Ministers we have no proof; if it arose spontaneously upon the occasion, it was as effective as it was brutal and masterly.

It was before and during this inquiry that the activity of the pamphleteer was most aggressive, and the leading writers were members of the social circle that gathered at Governor Hutchinson's table. There they could compare notes, and there they could meet officers returning from America, who had known Hutchinson when he was at the head of the Massachusetts government, and who were inclined, in their discontent, to class the Howes with Gage, weak men, unwilling to deal harshly with the Americans, and at heart not over-anxious to close the war. Such sources of information were good, but required careful and intelligent sifting, to eliminate, or at least to reduce, the personal prejudice of the relators. In 1779 Mauduit produced his *Observations upon the Conduct of S—r W—m H—e at the White Plains*,[3] and his *Strictures on the Phila-*

[1] *Parliamentary Register*, XIII. 539.

[2] "What would be the consequence, if a Minister, sure of a majority in the House of Commons, should resolve that there should be no speaking at all upon his side?" E. [Burke?] "He must soon go out. That has been tried; but it was found it would not do." — Boswell, *Life of Johnson* (Hill ed.), III. 235. The conversation took place more than a year before the application of silence in the case of the Howes.

[3] The *Observations* were first advertised in the *London Chronicle* for April 27–29, price one shilling, or less than a week after the entire American correspondence (Burgoyne-Howe-Germain) was in the hands of the public; and it received notice in the *Monthly Review* for May, LX. 393.

delphia Mischianza. Both were printed by John Bew, who is suspected of ministerial connections. It was from his press that the forged letters of Washington issued in 1777.[1] The *Strictures* received the dubious compliment of being reprinted in Philadelphia by Francis Bailey. In the same year, 1779, Galloway, a more original critic because better acquainted with the seat of war, published his *Examination*, his *Letters to a Nobleman on the Conduct of the War in the Middle Colonies*,[2] — Sir William Howe being the "nobleman," — and his *Letter to the Right Honourable Lord Viscount H—e*,[3] the last two pamphlets soon running into a second edition. A third and as yet unidentified backbiter, for they were all anonymous publications, gave to the public *Two Letters from Agricola to Sir William Howe*,[4] annexing some "Political Observations," in which the license of language was extreme. Still another issue, attributed to Robert Dallas, Jr., *Considerations upon the American Enquiry*, reached a second edition in October.[5] Were not these same busy assailants of the reputations of general and admiral likely to have been responsible for the *View of the Evidence*,[6] which covered wide territory in its criticisms of their conduct? In that pamphlet was given a collection of the fugitive pieces that were said to have occasioned the Parliamentary inquiry, the pin-pricks that compelled the brothers Howe to demand the investigation. Some of these pieces show as remarkable a familiarity with the actions of the brothers as a freedom in handling them in a hostile manner. Neither the Howes, nor Germain, nor Mauduit, nor Galloway would rest satisfied with the futile issue of that misbegotten inquiry, and so the attacks continued after the failure of the sessions. No account need be taken of the numerous newspaper com-

[1] See my *Spurious Letters attributed to Washington*, 10.

[2] Printed by J. Wilkie.

[3] It was printed by G. Wilkie, and was advertised in the *London Chronicle* for November 23–25, together with the second edition of *Letters to a Nobleman*, and the *Examination of Joseph Galloway*. A review of the pamphlet is in the *Monthly Review*, December, LXI. 467.

[4] Printed by J. Millidge, and reviewed in the *Monthly Review*, July, LXI. 67. The letters had appeared in the *Public Advertiser* in May and June.

[5] Advertised in the *London Chronicle* for October 19–21, as printed by J. Wilkie, who, by the way, was also the printer of the *Chronicle* itself.

[6] Printed by Richardson and Urquhart, and noticed in the *Monthly Review*, July, LXI. 70.

munications, of which examples are to be found in the Mauduit volumes.

In 1780 Galloway printed his *Examination*[1] before the Parliamentary inquiry, with explanatory notes; and also, his *Plain Truth: or a Letter to the Author of Dispassionate Thoughts on the American War*,[2] the "author" thus answered being Josiah Tucker. Stung into retort on his persecutors, Sir William Howe published, in 1780, his *Narrative*,[3] being essentially the defence of his conduct made to the House of Commons on his return from America. He paid his respects to Galloway by adding some observations on the *Letters to a Nobleman*. He only stirred his critics to renewed endeavor. Galloway issued a *Reply to the Observations of Lieut. Gen. Sir William Howe*.[4] Leaving the general to Galloway, Mauduit turned his attention against the admiral, in *Three Letters to Lord Viscount Howe*.[5] Some of those pamphlets will be found in the Mauduit volumes; but nothing could more clearly show the keen pursuit of the game and close analysis of the facts than the care with which Mauduit has annotated the margins, and called upon Galloway for his aid. In the New York Public Library there are other Mauduit pamphlets, with his annotations, as Mr. Eames informs me, belonging to the Bancroft collection, but I have not attempted to compare the two series. Certainly, not the least notable fact about the annotations in this library is that they so strongly bear out the opinion of the actions of the British and American generals which Mr. Adams has reached by an independent study of the military situation.

[1] Printed by J. Wilkie. The original issue, made in 1779, was noticed in the *Monthly Review*, July, LXI. 71. It was reprinted in 1855, with notes by Thomas Balch, by the Seventy-Six Society of Philadelphia.

[2] Printed by G. Wilkie.

[3] H. Baldwin was the printer. Reviewed in the *Monthly Review*, October, LXIII. 307.

[4] Printed by G. Wilkie. Reviewed in the *Monthly Review*, December, LXIII. 465.

[5] Printed by G. Wilkie, and noticed in the *Monthly Review*, LXIII. 65. The reviewer states that those letters originally appeared in the *London Chronicle*. Early in 1779 had appeared a pamphlet probably prepared under the direction of Lord Howe, and intended to serve in his vindication against possible attempts of Sandwich to discredit him. It is entitled: *Candid and impartial Narrative of the Transactions of the Fleet under the Command of Lord Howe, from the Arrival of the Toulon Squadron on the Coast of America, to the Time of his Lordship's Departure for England. With Observations, by an Officer of the Fleet.* London: J. Almon. 1779. It reached a second edition in the same year.

THE MAUDUIT PAMPHLETS

Volume I

1. Clipping from London Evening Post, April 23, 1778,

giving a letter from Samuel Kirk, a grocer in Nottingham, to General Howe, dated Nottingham, February 10, 1775, and Howe's reply, dated Queen-street, February 21, 1775. A prefatory note, calling attention to Howe's "duplicity," is signed "B." The Kirk letter was used in the pamphlet issued by Galloway, *Reply to the Observations of Lieut. Gen. Sir William Howe.*

2. Parliamentary Debates, 1779.

Part of Volume XI. of the *Parliamentary Register*, beginning with p. 253 and extending to p. 480, and containing Sir William Howe's correspondence, as produced in the House of Commons. It is followed by a "Schedule" of this correspondence in four pages, numbered [1–4], which, in the volumes of the *Parliamentary Register* given to the Society by Josiah Quincy, in 1798, is bound between pp. 480–481 of Volume XIII, together with a folding sheet giving the "Distribution of the following British and Foreign Corps, under the command of his Excellency General Sir William Howe, K. B. New York, 8th May, 1777." These pages contain the following MS. annotations by Mauduit. What is taken from the printed text is in italics.

P. 257. *It has always appeared to me most adviseable to make Hudson's River the seat of war.* The plain good sense of this plan must occur to every man. Every Letter of Gen'l How acknowledges it, and the Secretaries Letters contain the King's orders to follow it.

P. 260. *And I would propose twenty battalions*, etc. Does not he himself here acknowledge that the junction of the two armies up and down the Hudsons River ought to be the primary object?

P. 261. *The accomplishment of the primary object*, etc. Here again he acknowledges that the opening the communication with Burgoign, was the primary object of the war.

And for the blockade of this harbour, etc. Why did he not do this when he left Boston? There was an Island every way fit for that purpose call'd Georges Island, in which 500 men, attended by one large and one smaller man of war, might have defied all the rebel Sea and Land Force, which then existed. There is another Island

in Boston Harbour, calld Long Island, which would have answerd the same purpose.

Your Lordship having been pleased to say that the . . . American army . . . shall amount to twenty thousand. Instead of 20,000 he had 28,000 at White Plains. He here talks of opening the campaign in April; yet in 1778 he lay still at Philadelphia, and tells us that April is too soon to open the campaign in so much more southern a province.

P. 263. *Wasting away by disease and desertion, faster than we can recruit.* These are the very words of my Letter to Secretary Pownal sent from Wherwell just before this date.

Or some other place to the southward. Southward, not northward.

P. 264. *By the estimate No.* 1. He might have sent away the well affected Inhabitants first to Halifax, with a proper force to secure that place: and this would have greatly easd him when he did embark his army, and he might then have gone with it to Rhode Island.

We are not under the least apprehension of an attack. And yet he sufferd himself to be driven out of Boston, tho he had several days and several months notice of the Rebels design to possess themselves of Dorchester neck, which commanded the Harbour.

P. 265. *For the blockade of the harbour.* Why did he not do this, as he had more troops than he could well embark? and here he might have deposited the vast Ordnance and other Stores, which he left behind him at Boston.

P. 266. *The next object I would mention, is the taking hold of Rhode Island*, etc. Why did he not do this, instead of taking the whole army with him, to run the risk of starving at Halifax?

To obviate this real grievance, I would humbly, etc. A most absurd proposal. Neither would the men enlist; nor would any German state permit their men to go, without their own officers. The proposal for the drafts from the militia was equally absurd and impracticable.

P. 267. *To combat these armies, I apprehend*, etc. Did they ever oppose to him much above the half of that number?

I humbly apprehend the measure might be justified, as a distress to the enemy. A very just observation. Yet he left 50 Vessels, and great quantities of goods behind him at Boston.

P. 280. *As to horses, waggons, and harness.* The Farmers of Long Island valued themselves upon the goodness of their horses. How had possession of that Island, and Howe might have been supplyd with all he wanted, if they had not been cheated of the money which was promised to be paid to them for their cattle, which upon the faith of How's declaration they bro't to the Royal Army.

P. 281. *I am also to request your Lordship will be pleased*, etc. Did he form any one Seige during the war; except only the ridiculous one of a Redoubt in the Lines at Long Island? Or the more absurdly managed one at Mud Island, or rather Red Bank, which Mr. Galloway at last was forced to effect, by mending up the Dykes of the Delaware (which the Rebels had cutt thro') and thereby draining the land for the troops to approach.

P. 282. *As the enemy will feel more immediate distress*, etc. Here again he allows that the most vulnerable part is up the Hudsons River: yet he never took that measure, but the direct contrary, by losing the Summer at Sea in a 6 weeks Voyage to Chesapeak.

P. 285. [against the first two paragraphs,] Very well judg'd.

P. 289. *In the consideration of the means*, etc. Did he take any of these measures when he was in possession of the Jerseys?

By seizing the persons and effects, etc. Did he do this in the Jerseys, or in Pensilvania?

P. 290. *Every species of reward*, etc. Are not these so many obvious directions for him to follow when he became possess'd of York, the Jerseys and Pensilvania. Yet far from conciliating and forming the well-affected into Corps, for the maintenance of the Country; his men and even his Generals (Colonels) indiscriminately plundered all.

P. 293. *The rebel army will have full time to entrench*, etc. Did he take care, by the least expedition, to prevent the Rebels entrenching at White plains? On the contrary did he not, by his delays in landing at Frogsneck, allow them time to entrench?

I beg leave to remark, that with a proper army of 20,000 *men.* Lord George furnishd him with 28,000 men; and yet he did nothing.

P. 294. *From what I can learn of the designs of the leaders*, etc. And yet from his manner of marching up to them, and halting, when he was come up, he invariably gave them leave to go off without fighting.

P. 299. *Without the least molestation from the rebels.* Governm't here little tho't, that he owed this want of molestation to a clandestine capitulation, which he meanly permitted and connived at, between the Selectmen of Boston and Washington: by which it was agreed, that Howe should not hurt the town: and upon that Condition Washington was to suffer him to go off without Molestation. The man who was sent out to make this private treaty is now in London. And it was a well known fact in the Town. (Mr. Johonnot was the man, with Mr. Emery.) He came back from Washington and told the Inhabitants: Well, there will be no more firing, and accordingly there was none. But with what contempt must Wash-

ington and the Bostoners, who were in the secret, look upon this Letter?[1]

P. 301. *Halifax, though stripped of provisions*, etc. Did he want 8,000 men to defend the town of Halifax? The King's orders by Lord Dartmouth were to go [to] N. York. The reason he gives for disobeying them, is the want of Provisions. During all the time the Army had been at Boston, they had experienced the plenty of Provisions to be had at York and Long Island; but he himself tells us, that Halifax had been stript of them. So the want of Provisions determined him not to go to York, where there was plenty: but to go to Halifax, where there were none, and where the reader will find from his own Letters, they must have been starv'd, if they had not receiv'd an accidental supply. This his Reasoning is exactly similar to his assigning the prevalence of the north winds, as a reason for his beating up against them to Halifax, rather than sailing afore them to the southward: to York, or Long Island, or even Rhode Island.

P. 307. *But as the plan of augmentation, by incorporating*, etc. Both of them were very absurd proposals.

P. 308. *That a great part of the service for which waggons*, etc. Still supposing that he was to act upon the Hudsons River.

P. 309. *Lieutenant Bourmaster's behaviour does him great credit*, etc. Every one of his Requisitions, that was practicable, was comply'd with.

P. 311. *I am also informed, that the rebels are fortifying Rhode Island.* This proves how easily he might have gone thither the 14 March [1776.]

P. 312. *In this disposition, it is probable that their leaders*, etc. And yet he never did desire it, nor even sought it, but on the Contrary always took care to leave to the Rebels a way open to avoid a Battle.

Without exposing themselves to any decisive stroke. Which in spite of this his own conviction, he constantly allow'd them time to do. And by making it the Invariable Rule of his conduct. Whenever he sufferd his troops to beat the Rebels out of one fortified camp, never to permit them to pursue, but always to give them sufficient Time to fortify themselves in another, makes it impossible for us not to see, that his thus continuing on the Rebellion did not proceed from a want of Knowledge, but the want of Will to put an end to it.

P. 314. *But I tremble, when I think of our present state of pro-*

[1] See Frothingham, *Siege of Boston*, 303. It was Peter Johonnot and Thomas and Jonathan Amory who went out. No treaty or agreement was made, Washington taking no notice of so informal an embassy.

visions. This was the place to which he says in his Narrative he carried his Army for refreshments.

P. 321. The army from Boston and still left at Halifax 8,000; first Hessians, 8,200; Guards, 1,098; highlanders, 3466; 2d Hessians, 4,000; Clinton, 3,000; the 66 regt., 400; Rogers and Provincials, 500; [total], 28,664: [less] 450 taken, 28,214. He afterwards makes the Provincials 2,000, and next campaign, he states them at 3,000. Waldeckers, one Regim't; Light Dragoons, 2 Regts. 888.[1]

P. 325. *Have made an earlier removal impracticable.* Very different from his former Letter, and always seeking delays.

P. 326. *When General Clinton joins the army.* Did he prosecute any measure immediately?

P. 331. *I am still of opinion, that peace will not be restored in America until the rebel army is defeated.* And therefore he took care never to defeat them: but always kept back his troops in the midst of Victory; and let the rebels go quietly off.

P. 339. *The provincial corps already raised.* These Provincial corps being so large as to require a paymaster general must be added to the 28,000 men, and being 2,000 make his whole force 30,000 men.

P. 340. *I would humbly propose an augmentation of 800 men.* A very strange determination for him to sett out with, with all that force which had been sent to him.

P. 347. *I look upon the further progress of this army for the campaign, to be rather precarious.* A very strange resolution at a time when the very best season for a campaign was yet to come. What had he to risk? or why fear a check, when he was so strong, and in full success; and the enemy flying before him? unless he was unwilling to make an End of the war that Season.

P. 348. *Yet have I not the smallest prospect of finishing the contest this campaign.* The same tardy Resolution. Even without this additional number of seamen, he had landed his army in Long Island in 2½ hours and beside his flatt bottom boats he could always command the boats and seamen of the man of war and Transports. How much more then could he have landed in the Delaware in as little time, when he had the additional ships and seamen. But in truth all this was only a contrivance to increase Lord How's Command.

P. 349. *The second division of the Hessians,* etc. Here was an addition of four more men of war with their Boats.

P. 351. *I am to inform you, that orders will be sent to Lord Howe to make enquiries into that matter.* Yet he did nothing and continued the captain in his Command.

P. 357. *All these motions plainly indicating the enemy's design,*

[1] This annotation is not by Mauduit.

etc. But pursuing and destroying the whole army would have been of the last consequence.[1]

P. 361. *In consequence of my expectation that Lord Cornwallis*, etc. Was not that another reason for his ordering L'd Cornwallis to push on and rout the enemy, and preserve the country: instead of sending to stop him 5 days at Brunswick, to give the rebels time to pass over the Delaware. And, if they had so pleasd, he gave them 5 days to ravage the Country between Brunswick and Trenton.

P. 362. *By the best information from the northward*, etc. What a fix'd determination not to finish the war in one campaign.

All these impracticable demands seem made only to found on them an excuse for his doing nothing and then laying the blame upon the ministry at home.[2]

P. 366. This is one of D'Oyly's Love Letters.[3]

P. 369. When a Gentleman gives but one Reason for an action, that may have been his real reason, tho it should be a weak one. But when not content with that, he adds another, which is inconsistent with his former, we may justly presume that neither is the true one.

If the breaking a part of the Bridge rendered the Rariton impassable, there was no need of saying he had orders to go no farther. If the orders were positive to pursue no farther, there was no need of telling us that the Bridge was broke.

The truth is the broken part of the Bridge could easily have been repaird by the time his Rearguard came up; and beside that, the Rariton was probably above and below the Bridge. Mr. [4] told me that he had often crossd it below the Bridge in his one horse Chaise.

If the General had wishd to have had the Rebel Army destroyd, he would have sent over a body of men from Staten Island to Amboy, who would have possessd themselves of the Rebel Magazines at Brunswick long before the Rebels could get there, and would have effectually stopd their Retreat. But the Destruction of Washington and his Army would have finishd the war that Campaign; whereas the General (we see in his Letters) had promised himself another. And therefore he neither sent over troops to Amboy to stop 'em in their Flight before they came to Brunswick, nor would suffer them to be *cut to pieces* after they were got thither: but gave positive orders that they should be pursued no farther. General

[1] This marginal note does not appear to relate to any particular sentence on that page.

[2] This refers to what is on the whole page.

[3] Refers to letter from Germain to Sir William Howe, October 18, 1776.

[4] Blank in the MS.

Vaughan, when he was in England, related that while they were upon their March in Brunswick, he, Vaughan, said to Lord Cornwallis, your Lordship will pursue them beyond Brunswick. Upon which Lord Cornwallis shook his head and answerd No, I am orderd not to go any farther.[1] They could not then know that the Bridge was broke.

P. 370. *I cannot too much commend Lord Cornwallis.* Surely this must have been in taking care never to come up with them. From fort Lee to Brunswick is forty mile, and he was from the 17th Nov'r to the 1st of Dec'r in marching that 40 miles.

P. 371. *The arrangement I would humbly propose*, etc. Had he left even those 3000 men to act upon the North River it might have saved Burgoign.

P. 372. *We must not look for the northern army to reach Albany*, etc. Does not this plainly shew, that he knew he was to cooperate with the northern army, when they did come down?

P. 373. *He mentioned to me a plan he had the honour of*, etc. A very absurd proposal. Would Dragoons submit to serve on foot on foot pay? Or would a regiment of foot be any better for their having Dragoon's pay?

P. 377. *I do not now see a prospect of terminating the war*, etc. Why our troops could not move as fast as they, the general has never explaind. Or, if they could not, why this should be alledged as a reason for their not being able to fight them, is inconceivable. The Rebels always staid for them.

P. 378. *Concluding upon the certainty*, etc. Thus demanding impossibilities, in order to have a pretence for Lengthening the war.

P. 379. *Major General Robertson, who will have* etc. How himself tells us, they had but 15,000 men, with the help of the Militia, at Brandywine, which was the largest army Washington ever had; and two months before Washington had but 6,000 men at Boundbrook. And yet How run away from him with 18,000 men to Amboy, and lost 3 months in going round to meet him, in a stronger camp at Brandywine, with 15,000 men.

And honour me with his Majesty's commands upon it. Page 411 you will see this his complaint redressd, and then he grumbles at that very redress as another hardship.

P. 381. *The advantages which you have hitherto gained on the rebels have been rapid.* Surely he banters him, when he talks of RAPID. The D. of Marlborough after the Battle of Ramillies did ten times as much. But the truth is, these are D'Oyly's Letters, flattering his friend How. And Lord George must have quarreld with them both if he had refused to sign them.

[1] See under No. 5 in this volume of pamphlets.

D'Oyley afterwards actually did give up, upon Lord George's refusing to sign a letter of his, approving the Voyage up the Chesapeak; and no doubt wrote to Howe that L'd George had so refused; upon which How wrote home desiring to be recall'd.

P. 382. *It was a great mortification to me*, etc. Is not this plainly telling him that he was to have a Regard to the Northern Army?

P. 383. *I have great reason to believe, that Dr. Franklin will not be able to procure them any open assistance.* Nobody could have procured them open assistance but Howe, by sacrificing Burgoigne in his Voyage to Chesapeak.

It would be impossible to procure for you . . . the horses, etc. Horses enough might have been procur'd in Long Island, if he had not sufferd the farmers to be cheated of their money promised for their cattle, which they brought in upon his first coming there in 1776.

P. 385. *I have unavoidably received infinite satisfaction*, etc. Where is the want of Confidence, which he complaind of, and gave as a reason for his resigning?

P. 387. *Had it been expedient to have sent*, etc. Did the Rebels import horses from Europe? No. They found them upon the spott, and so might the General at Long Island, where are the best horses in America. The farmers there valued themselves upon the goodness of their horses, and he might have had enough for his money if they had not been so grossly cheated as they were.

The Provincial troops I propose to employ, etc. Yet he did nothing upon the Hudsons River.

Washington's principal force at Bound Brook was but 6000 men; and Sterling's corps at Prince Town but 2,000. These 2,000 ran across the Delaware as soon as How advanced to Brunswick: yet How instead of fighting Washington, or crossing the Delaware, and seizing all the Enemies Magazines at Philadelphia, to prevent which he must have come down from the hill he was encamped on, and given How an opportunity to fight upon equal terms; instead, I say, of fighting Washington, he seems to be apprehensive even of danger in flying with an army of 18,000 men, from his Enemy's vicinity, who had only 6,000, and who actually pursued him to Amboy, and to the great Indignation of his soldiers, insulted his Rear.

He was full three months in going by Sea to Philadelphia, when he might have gone thither from the Jerseys in three days. And yet he declines going thro' the Jerseys and crossing the Delaware upon account of the delay it might occasion.

P. 388. *However, as these operations have, from success*, etc. Were not the honest sailors of the Transports always ready with their boats to assist him? Never was an Army attended with so immense

a fleet: 90 ships of war, and 300 Transports. He had 100 Flatt bottom boats built on purpose to carry troops, beside which he had all the men of wars boats, and those of all the transports, without a single ship to oppose him. This was therefore only a pretence to increase his brother's command, and when they were sent, Lord Howe's creature, Hammond, makes the numerousness of his fleet a reason for their not venturing up the Delaware. See his Examination.

P. 389. *Having but little expectation that I shall be able*, etc. Out of 35,000 men. Yet he received the news of their coming before he left New York: and yet persisted in his wild Voyage by sea, leaving Burgoign to his fate, and without making any diversion on the New England coasts, tho' he was expressly orderd to do it.

I shall probably be in Pensilvania, etc. Was he in Pensilvania at that time? No, if he had been Washington could have detach'd no troops to Gates. But he took care to be at sea the 3d day after he heard that Burgoign was coming.

It will prove no difficult task to reduce the most rebellious, etc. Why did he not do this, instead of taking 24 ships of war up the Elk (Chesapeak), where never 20 gun ship was before? and where there was no Enemy to oppose him.

P. 390. *Distribution of His Majesty's troops.* He had more force than this: and yet left only 3200 men with Clinton at New York; that he might be sure of his doing nothing upon the Hudsons River to assist Burgoign.

P. 391. *Captain Mulcaster being a very intelligent officer.* That is to provide for his own partisans by promoting them to be general officers, as he rais'd Gray from a Lieutenant Colonel upon half-pay to a Lieutenant General, and thereby secured him for a willing witness in his Examination.[1]

P. 394. *And here I must observe*, etc. Why did he not put the Country, where Capt. Philips was murderd, under military Execution; which would have prevented attempts of like kind.[2]

P. 398. *By various accounts received from the neighbourhood*, etc. Had he not then reason to expect them before September? Yet he went off to sea, when he knew they were coming, and left them to their Fate.

P. 399. *The remount horses, for the 16th*, etc. Yet he still resolvd that Gen. Clinton should not have a force at New York sufficient to do any thing.

[1] Grey was a colonel in the regular force on March 4, 1777, and a Major-General in the American force from the same date. He received a commission of Major-General in the regular force August 29, 1777.

[2] Josiah Philips? See *Jefferson to Girardin*, March 12, 1815.

I have the pleasure to inform your Lordship of the arrival of Major-General Gray. Gen'l Gray, therefore, tho' he could witness so much, yet could know but little: having seen only one campaign, and three months of that at sea.

P. 408. *The first division, under the command of Lord Cornwallis,* etc. That is, with an army of 15,000 men, he did not chuse to attack an army of 6,000: altho' he might have marchd round them and come down upon them from higher Ground.

P. 410. *On the 30th, at ten o'clock in the forenoon,* etc. So that his army passd here in four hours. Yet S'r Andrew Hammond said they could not land at the Delaware under a whole day. See his examination. The transports could come close up to the wharf at Newcastle, and instantly have landed with the utmost ease.

P. 411. *That it seems only intended to take place when the two armies absolutely join.* He seems averse to the thought of Burgoign's joining him. In page 379 he complain'd of this as a Hardship: and now he speaks of the redress of it as another hardship. See page 379.

What a wretch must Burgoign be, to take the part of this man, who took so much pains to ruin him?

P. 412. *The instructions I have taken the liberty,* etc. Still determined that he should not succour Burgoign.

P. 415. *On the other hand, if General Washington should march,* etc. He does not doubt but that Burgoign, with 8,000 men, could fight Washington: and yet he himself, with 18,000 men, did not chuse to fight him, but even apprehended danger from the Vicinity of the Enemy, even in running away from him, when he withdrew from the Jerseys.

P. 416. *I cannot but hope that the dragoons,* etc. Every one of these horses, if they had been sent him, would probably have been killd or disabled in the long Voyage to Chesapeak. All the horses he had were ruind: and most of them starvd and thrown into the Sea.

As you must, from your situation and military skill, etc. The copy of How's Letter to Carlton of the 5 April, had been receivd by his Majesty the 8th of May: and yet that Letter (we here see) was not at all understood to supersede those constant orders he was under to cooperate with Burgoign. And therefore as he only tells Carlton that he should not be able to assist him in the beginning of the Campaign, the King now orders him not to let that beginning be too late: and whatever he did to be sure to be in time to cooperate with the Canadian Army. No man here could have conceivd, that his beginning of the Campaign should not have been till Sept'r.

P. 417. *If we may credit the accounts,* etc. He never took any course to secure either the Jerseys or Pensilvania, by disarming the disaffected and arming the Loyalists.

P. 418. *But that his Majesty trusts the operations*, etc. Here again are express orders for his cooperating with the northern army, but instead of obeying them, he hid his army in the ocean at the very time he should have done it.

By far the greater number deserted their dwellings, etc. For which these houses ought to have been burnt.

P. 419. *My last dispatches advised your Lordship*, etc. The troops embarkd the 5th and were left on board to the 23d, while he went to N. York.

Meeting with constant unfavourable winds. Before he sate out, he was told, that he must expect nothing but south and south west winds, at that season of the year.

P. 420. *The late signal success of a body of about 2000*, etc. All this mischief was done at the precise time Howe was hiding his army at sea, instead of obeying the King's constant orders, to cooperate with the northern army.

P. 422. *I am informed that General Gates arrived*, etc. If Howe had obey'd his orders to carry a warm alarm upon the coasts of New England, Gates and their troops could not have been detachd to Albany. Or if How had landed in the Delaware, as in common sense he ought to have done, none of these evils could have happend. Lord Howe sent his own creature, Hammond, up the Delaware, to bring him some Intelligence that should serve as a pretence for his not Landing. Hammonds story might be well enough framed to impose upon us here in England (of forts and Fire ships); but Lord Howe himself did not believe there was any danger in entering the Delaware: for he actually did enter it, six weeks after, without any hesitation, tho' the Rebels had then had so much more time to prepare their Forts and Fire ships.

P. 433. *The fatigues of a march exceeding 100 miles*, etc. He went there some 3000 miles by sea, and 100 miles by land, to get to Philadelphia; when he might have got to Philadelphia from the Jerseys, or have landed at Newcastle on the Delaware, and have got to Philadelphia by a march of only [*unfinished*] If he had but stood still in the Jerseys, that would have saved Burgoign: for Washington would not have detach'd Gates from his army, if he had not known, that How was lost at sea.

P. 447. *As you still continue to think*, etc. Every Requisition of his was complid with, which possibly could be so.

P. 452. *If on the contrary the troops should be withdrawn*, etc. Why did he not reason in this manner against his leaving the Jerseys?

From these considerations, and from the expediency, etc. Yet he never did any thing thro' all the months of April and May, tho' the Country was full of dry forage; and tho' the Enemys main Army

was but 4,000 men at Valley Forge, and his collected troops of 19,000 were kept only to grace his absurd Mischianza.

P. 456. *I considered it a duty I owed the King, the minister*, etc. The minister could mean none but Lord North.

P. 457. *Your Lordships expressions of approbation*, etc. What he says, page 436, and what he says here, plainly proves that by the Minister he meant Lord North; but upon his Return, the party telling him that L'd G. Germain was most assailable, he turned all his force against him.

The rebel army continues in the same situation, etc. 3,000 deserters came to Philadelphia in the course of the winter: and many without shoes, and with their feet cut with the Ice, or guarded with Raggs wrapped round their feet, to save their feet from being cutt.

P. 462. *In conjunction with the fleet*, etc. Why did he not do this?

P. 466. *I do not hesitate to confess to your Lordship*, etc. The futility of this reasoning was effectually provd two years after, when 3 or 400 Provincial Volunteers landed several times in Connecticut, and did this business with impunity, which he says could not be done with less than 4,000. And yet, even if 4000 men had been wanted, he had men and ships enough to imploy that number for two months together, before he opend his campaign; but he never would trust any officer with a separate command, lest they should disgrace him, by doing something, while he did nothing. But he had no mind to hurt the Americans; and was still more determined against every Diversion to favour Burgoign.

P. 473. *Your Lordship may rest assured*, etc. Why then did he go to Skeenborough? General Skeen told me, that he never advised it.

2 *a*. Clipping from the *London Chronicle*, August 3, 1779,

signed T. P., criticising Howe's method of attacking at Bunkershill. It is signed "T. P.," but the pen has been run through the letters. Mauduit has given a MS. heading, "Reflection on the Action at Bunkershill." See No. 7 *d* in this volume, and No. 4 *a* in Volume II.

3. Remarks upon Gen. Howe's Account of his Proceedings on Long Island, in the Extraordinary Gazette of October 10, 1776. London: 1778.

This pamphlet of fifty-four pages was written by Mauduit, and reached a second edition in the same year. Mauduit's remarks run to p. 33, and the Gazette occupies the rest of the

pamphlet. There are some of Mauduit's MS. additions in this copy, and two pages of MS. follow, as printed on p. 105, *supra*. The MS. notes are given under No. 1 in Volume II — another copy of the same pamphlet.

4. Observations upon the conduct of S—r W——m H—e at the White Plains; as related in the Gazette of December 30, 1776. London: J. Bew, M.DCC.LXXIX.

This is also one of Mauduit's pamphlets, containing forty-four pages. The first eighteen pages are filled with the Gazette, and his comments begin on p. 19, running to p. 36, a "Postscript" completing the pamphlet. A map of the country near New York, engraved by John Lodge, has been inserted. It is without any marks showing its origin, but may have appeared in one of the London magazines of the day. See No. 7 in Volume II. This tract contains no MS. additions save a cross reference on p. 2 directing attention to p. 19.

4 *a*. Clipping from the *London Chronicle*, July 24, 1779, signed "A Correspondent." Mauduit has added "I. M.," thus acknowledging his authorship. He sharply criticises Howe for his conduct of operations at White Plains. The same signature is used on 5 *b*.

5. Strictures on the Philadelphia Mischianza or Triumph upon leaving America unconquered. With Extracts, containing the principal Part of a Letter, published in the "*American Crisis*." In order to shew how far the King's Enemies think his General deserving of Public Honors. . . . London: J. Bew. M.DCC.LXXIX.

This tract of forty-two pages is attributed to Mauduit. Pp. 16–29 are taken with an extract from Paine's *American Crisis*, No. V., addressed to General Sir W——m H—e, and a "Postscript" beginning with p. 33 and continuing to the end, reprints a letter printed in a London morning paper, December 11, 1778, signed "Cato." See No 3 in Volume II. This copy has three MS. notes by Mauduit, of which two are of interest. On p. 39 he says: "General Vaughan told the Company at Gov'r Hutchinson's, that in their march towards Brunswick, he ask'd Lord Cornwallis, whether he would not pursue the Rebels beyond Brunswick? Upon which Cornwallis shrug'd up his shoulders, and said: No, he had express orders to go no farther

than Brunswick." And on p. 41: "This letter was taken out of a French prize bro't into Glasgow. The writer is a Major Du Portail in the French Service, but a Brigadier general in the American Army. It is dated 11th Dec'r, 1777, while Mud Island was attack'd, but not taken, He says that if Washington's Army had been crush'd last year, there would have been no Rebellion, or it would have finishd the war. That the American's success was not owing to their strength, but to the astonishing Conduct of the British forces, and in another part the words are: to the Lenteur and Timidité of the British General." [1]

5 *a*. A MS. in an unknown hand, labelled by Mauduit "Mr. Daines Barrington," who is described in the *Dictionary of National Biography* as a lawyer, antiquary, and naturalist, the fourth son of John Shute, first Viscount Barrington. This MS. reads:

May the 14th [1778.]

By the returns from Philadelphia receiv'd six weeks ago S'r Wm. Howe had under his command nearly 33000 men, which were remarkably healthy: viz. 19,000 odd hundreds, *in their shoes* at Philadelphia; 10000 at New York; from 2 to 3000 in Rhode Island.

5 *b*. Clipping from the *London Chronicle*, July 20, 1779, signed "A Correspondent." Although Mauduit has not added his initials, the subject matter and the signature, used also in 4 *a*, indicate his authorship. He criticises the honors given to Howe in the *Mischianza* and in England. See 3 *a* in Volume II.

5 *c*. Four pages (49–52) from a tract directed against Dr. Richard Price.

Laid in is a slip in shorthand by Mauduit, unfortunately indecipherable.

6. Letters to a Nobleman, on the Conduct of the War in the Middle Colonies. The Second Edition. London: J. Wilkie. M.DCCLXXIX. Map.

By Joseph Galloway, and addressed to Sir William Howe. See No. 7 in Volume II. Bound between pages 50 and 51 is the following MS. note by Mauduit:

[1] This letter is given more fully in Hutchinson, *Diary and Letters*, II. 209.

"June 18th 1782. Mr. Galloway dined with me and told me he had met that day at Lord Shelbourn's Levy with Mr. Andrew Allen, Attorney General of Pensilvania, who told him, that he joined the royal Army the day that Sir Wm. Howe got to Trenton. That in his way thither, he met with Carpenter Wharton who was deputy Commissary General to the Rebel Army (and cosen to the Sam'l Wharton who was here). I askd him, Well, Wharton, what does Washington think of your Affairs now? Wharton answered, I have seen Washington this morning, and he has been intreating me not to desert him till he shall have got to Philadelphia to which he was retreating, and that then he would discharge him and every other Person: for that all was over. Thus far Mr. Galloway. Quere. Might not the sense of this be the true reason, why that Interested fellow Gen'l Grant advised, and Gen'l Howe took the Resolution, not to cross the Delaware? knowing that then they should have no chance for another year's profitable Campaign, and that the Opposition at home must sink with the Rebellion?" [1]

7. A Letter to the Right Honourable Lord Viscount H—e, on his naval Conduct in the American War. London: J. Wilkie. MDCCLXXIX.

By Joseph Galloway. On p. 43 Galloway used a quotation "your poverty and not your will consented," words noted in Mr. Adams's paper, p. 100, *supra*. On this Mauduit comments: "Others have thought, that the Quotation which you so unjustly and so cruelly applied to Mr. Galloway, might with much more Propriety be applied to your self: That your Poverty and not your will consented, to let the Rebells carry on almost a free Trade for the chance of making some of them prizes."

On p. 45 Mauduit writes: "Like a true Luculli Miles. The Recruit of his fortune did not bring any Recruit of Spirit for fighting."

And on p. 47, in reference to the possibility of making a descent upon the coast of New England, Mauduit adds: "which you never chose to do, even though you had the King's express orders to do it. Vid. L'd George [Germain] and Sir Wm. Howe's Letters, page 371 and 462. He was affraid to Land on the New England Coast with less than 4,000 men: and yet the American Loyalists, when the Howes were gone, did it with

[1] The tract contains 101 pages. In the Brinley collection, No. 4177, was a copy having additional matter, pp. 102–118, "in elegant manuscript"; but no indication is given of the nature of this added material or of the writer.

500 men, and enterd their harbours, carried off their Vessels, and ravaged their coast with impunity. Vide L'd Geo. Germain's Letter 3d March, 1777, page 394, which contains the King's express orders to Lord Howe and Gen'l Howe to make this Diversion for this very purpose." The page references are to the first tract in this volume. On p. 49 some corrections are noted, but not of such a character as to point to Mauduit as the author of the tract.

7 *a*. Clipping from the *London Chronicle*, October 9, 1779,

containing an extract from the *New York Gazette* (Rivington's) giving the address of the Refugees, by their president, Cadwallader Colden, to Major General John Vaughan, August 23, 1779, before his departure to Great Britain, and the General's reply.

7 *b*. Clipping from a newspaper, without date or name of journal, being a letter addressed to "The Right Hon. Viscount Howe," and signed "An Englishman." It criticises sharply his conduct in America.

7 *c*. A MS. note by Mauduit, printed p. 106, *supra*.

7 *d*. Clipping from the *London Chronicle*, July 29, 1779,

against Sir William Howe, and repeating the story of Montresor's great gains in America. It is signed "T. P.," but the pen has been run through the letters and "Mauduit" written. See No. 2 *a* in this volume, and 4 *a* in Volume II.

8. A View of the Evidence relative to the Conduct of the American War under Sir William Howe, Lord Viscount Howe, and General Burgoyne; as given before a Committee of the House of Commons, last Session of Parliament. To which is added a Collection of the Celebrated Fugitive Pieces that are said to have given Rise to that Important Enquiry. The Second Edition. . . . London: 1779.

One of the most curious tracts in the collection. Facing the title-page is a quotation from the *Monthly Review* for July upon the pamphlet. On the reverse of the title-page Mauduit has written "This Evidence is very imperfect, and cannot be depended upon. The fugitive pieces are the valuable part of this

Book." Following the title-page are four unnumbered pages giving a summary of the contents, and the "Evidence" begins on p. [9], running to p. 70. Inserted between pp. 64–65 are eight unnumbered pages containing the evidence of Joseph Galloway, being a separate issue of pages 63–70 of the pamphlet, with a half-title on the first page: "Evidence | of | Joseph Galloway, Esq; | late a | Member of the American Congress." Otherwise the reading matter is similar to that in the pamphlet. Following the evidence come the "Fugitive Pieces respecting the American War," extending from pp. [71]–154.

Mauduit has made MS. comments upon certain parts of this testimony and pieces. On p. 9, where Cornwallis testified in favor of Howe's abilities, he wrote:

"This is the most extraordinary declaration that ever was made to a Court of inquiry. He voluntarily and extrajudicially gives a full positive opinion in favour of the General's Conduct; and at once extrajudicially decides upon the whole merits of the Question they were to inquire into; and then, lest any part of the Cross examination should too glaringly contradict it, he determines, after having unaskd given a decisive opinion upon the whole, that he will not answer any questions about his opinion upon any of the Parts."

Again, on p. 18, on Grey's reasons for not opening the campaign of 1777 earlier, Mauduit comments:

"Both these reasons are false. The camp equipage arrived the 24th May, and he did not open, even his mock campaign in Jersey, till the 12 June. See his Letters pp. 399 and 408. And the Country was dry and firm for marching that Spring in April. Beside which he had dry forage in plenty at New York and the Rariton to carry up as much as he pleasd to Brunswick, where he was to open the campaign, if he had really meant to do any thing. What is still more extraordinary is, that altho he pretends in his Letter, that he could not open the Campaign sooner, for want of his Camp Equipage, yet he never made use of that Equipage; but made the troops march without tents, thro the whole campaign, but left them on shipboard, having killd and thrown into the sea, all the horses which should have drawn them; they having but dry peas, and a short allowance of water to live upon, almost all died in the passage."

General Robertson on p. 51 gave testimony on the stores left behind at Boston, on which Mauduit says:

"There were above 50 Vessels left behind in Boston. Mr. Vernon's ship was immediately converted into one of their best and most successfull privateers. Yet Howe contented

himself with cutting away her main mast and a few planks on her Deck: all which was presently repair'd. The Inhabitants would have provided themselves with shipping then in the harbour, if he would have given them time: but they were hurried, and told, Sir, you must go aboard this night."

Attached to p. 64 is the MS. note printed by Mr. Adams, p. 100, *supra*. At the mention on p. 146 of a "secret capitulation" made at the evacuation of Boston, Mauduit adds: "made by Mr. Peter Johonnot and Jonathan Amory. Johonnot was a Loyalist and intended to go with the King's troops. Amory was a Rebel, and intended to stay in the Town."[1]

8 *a*. Clipping, part of an article, without date or name of paper, against the Opposition.

8 *b*. A MS. note by Mauduit.

The two Istmi from Amboy and Brunswick to Trenton on the Delaware, and from the Delaware at Newcastle Bite to Cecil Court house upon the River Elke, inclose the two Jerseys and a chief part of Pensilvania and Maryland, an immense tract of Country, five hundred miles of Coast, and all the most important part of the Middle Colonies. The Distance from Amboy to Trenton is but 37 miles. But the Rariton is a sufficient Barrier up to Brunswick, and from Brunswick to Trenton is only 29 miles. From Newcastle Bite to Cecil Court house is a space of only 14 miles. These two lines Sir William Howe was told, being each defended by 3 or 4 Redoubts, would give him Possession of the Jerseys, of all the three lower Counties, and of all Counties which (except that just above Cecil Court house) were the best affected to the Royal Cause. These were great and populous Countries, that would have much more than supplied his Army with all the Provisions, and all the Carriages, &ca. he could want: and would have furnished Garrisons to defend these Redoubts; and thereby left the whole Royal Army at Liberty to act against Washington; who would have been hereby cut off from all supplies by the sea. These Redoubts might have been made as strong as he pleased; and in case of an attack might have been relievd from Amboy and from Philadelphia. And, with a few Frigates upon the Delaware and the Chesapeak, the whole country might have been put in a State of perfect Security. And the fleet and army

[1] See p. 147, *supra*. Johonnot remained in Boston after the evacuation, but Thomas Amory, suspected of British sympathy, removed to Watertown.

being stationd from Rhode Island to Cape Charles would have cut off Washington and the disaffected parts from all possibility of supplies by sea, so that he could not have cloathd, armd, or subsisted his Troops.

Frigates could lye at Burdington [Bordentown].

All this, said Mr. Galloway, being never able to see S'r W'm, I represented to Lord Howe, who approving of it, ask[ed] me have you shewn it to my Brother? No, my Lord, I can't see him: and I therefore shew it to you first: But will your Lordship shew it to him? No. It will be better taken from you. Soon after Mr. Searl, the confidential Secretary to Lord Howe, told me, that Lord Howe said to him, that he had often looked at the Map of America, but never saw the Country in this light before. That, like Columbus's Egg, it manifested itself as soon as pointed out. Mr. Searl then said to me, My Lord never interferes with his Brother about army affairs: But you must force your way to Sir William, and shew it him. However, I never could, and after making many attempts to see him, I sent in the scheme to him in writing, by Capt'n Montresor. But S'r W'm never sent for me, nor took any Notice of it.[1]

Volume II

Clipping from the *Public Advertiser*, May 1, 1775, signed "Surena" on fertility of Parties in the Kingdom.

Clipping from the *London Chronicle*, August 3, 1779, signed "T. P."

See Nos. 2 *a* and 7 *d* in the first volume. This third copy of the clipping also has the "T. P." run through with a pen, and "I. M." added in Mauduit's writing.

1. Remarks upon Gen. Howe's Account of his Proceedings on Long-Island, etc.

[1] Ambrose Serle, to whom Galloway was in the custom of giving information about Washington and "his miscreant troop." Serle must have possessed an enviable adaptability to have served to their satisfaction two such characters as Sir William Howe and the Earl of Dartmouth. Writing to the latter from Philadelphia, January 10, 1778, he said: "I forgot to mention to your Lordship, that the two public Libraries are preserved at Philadelphia. They are furnished chiefly with modern Books, and are disgraced with many Productions of our lowest Authors, even down to Novels and Romances." — *Stevens Facsimiles*, 2075.

This is the same as No. 3 in the first volume, but is more fully annotated. As some of the notes are identical in the two pamphlets, I give such as are not in parallel columns.

Vol. I	Vol. II
General Vaughan said in Sackville Street, that, if they would have left the war to the Americans and the Sixpenny men, they would have soon put an End to the Rebellion. P. 14.	Lord Cornwallis in his Evidence said that the whole number of the Rebels was 6 or 8,000 men. Lord How's Letter says that he Landed 15,000 men on the 22d and an additional corps of Hessian under De Heister, their Commander, on the 25th; so that the whole could not have been less than 18 or 19,000 men. In what a contemptible Light does the General appear who tells us that he stopd such an army in the midst of Victory; for fear they should meet with too much resistance from a handfull of fugitives precipitately flying into their trenches and after having lost near half their army and all their 3 Generals killed, drownd or taken prisoners. Pp. 18–19.
Thus I thought from the General's own Letter. But L'd Cornwallis and the other witnesses say, that they were but 6 of 8,000 in all, and Robinson says that Putnam could not get 300 men to stand to their arms in the Defence of the Trenches. P. 18.	

Gen'l Heister, who was encamped upon the heights, it is said, sent him notice that the Enemy was preparing to get off. June 7th, 1778. Gov'r Wentworth told me that from the heights they could look into the Rebel Camp: and that he himself so look'd into it, and he said that from their motions it was manifest to every one who *would* see it, that the Rebels intended, and were preparing to go off. P. 21.

as if he thought it no part of his business to intercept him. P. 26, against the last paragraph.

Governor Wentworth and his Brother told me, that the Fort at Red hook was evacuated; and that he himself went into it from the Transport he was on board of, the day before the evacuation of the other part of the Lines. And if a Transport could get up thither, how much more could a man of war, if Lord Howe had really desired to cut off the Rebels' retreat. P. 27.

2. Observations upon the Conduct of S—r W——m H—e at the White Plains.

This is the same as No. 4 in Volume 1, but contains a MS. copy of a part of Faden's map of the region near New York. Between pp. 8–9 is a leaf of Mauduit's writing:

"From the pompous manner in which the Brunx is here spoken of, the reader may be led to think it to be a great River, like the Rhine or the Maeze: but what must be his surprise, when he is told that it is nothing but a trifling little rivulet, which, at that time of the year especially, a child of ten year old would run through, that a man in many places can jump over; which Mr. Leonard and his lame companion walk'd over, stepping from stone to stone, without wetting their feet; which a boat with two men cannot float in; which has a hard gravelly bottom, and gradually sloping banks; so that a waggon or a cannon can easily be drawn through it; and in other places where the banks are steeper, might with the Timbers growing at hand have a Bridge thrown over it in two hours' time. What must be our contempt of a General, who could give to such a pissing stream as this, such a pompous importance; and made the Royal army stand still for three days upon account of it. Especially when we come to know, that he held the Rebels shut up on three sides, and that he could by an hour's march have stop'd their retreat on the northward too, if he had not chose to let them escape by it."

Inserted between pp. 32–33 is a sheet of Mauduit's writing, on the back of which is a clipping from the *Morning Post* of December 29, 1779, being a letter addressed to "Sir W—— H—" and signed "American," asking questions on his conduct. The MS. reads:

"*from whence their left Flank might be galld.* If it might have been, it is natural to ask why it was not galld? The Hessian Brigade surely did not march without their Cannon: and whether they made use of them, or why they did not, the General alone can explain. But if there be any Foundation for a Quere, which has been publickly put to him, the General knew experimentally, that they might be galld; and that to a much greater degree, than he chose.

"The Quere which I find put to him among some others is this: Why at the White plains did you silence four field pieces, that under the command of a Hessian Major, were mowing down the Americans in whole Columns? giving for Reason, that the King wishd to spare his American Subjects."

On the Faden map Mauduit has written,

"Here at Whitstown [Whitestone] he ought to have embarked his troops immediately after he had sufferd them to escape from Long Island; and rowed in a straight course to New Rochelle; if he had not wishd a 2d time to let them escape. All America saw this, the Loyalists wonderd at him, and the Rebels laugh'd at him, for his not doing it. Vid. the American Crisis."

3. Strictures on the Philadelphia Mischianza or Triumph etc.

This is the same as No. 5 in the first volume. There are no MS. notes in this pamphlet, but on the last page (42) is pasted a clipping from the London Chronicle, without date, signed "A Correspondent," giving a remark made by a Quaker on the Mischianza. In MS., Mauduit has added the letters "I. M.", thus establishing the authorship. On the fly-leaf Mauduit has recorded the memorandum sent by Daines Barrington, No. 5 *a* in Volume 1, and has added:

"Yet these 19000 men were blockd up in Philadelphia, from Dec'r to June; while the General did not choose to march out, and attack 5000, and at last 4000 rebels, who were almost naked at Valley Forge, and instead of fighting and triumphing over the Rebellion he and his officers chose to triumph over the Ministry in his most absurd Mischianza, upon hearing the News of the French Declaration, which they tho't must overturn the Ministry.

"In the Winter of the year 1778, while the Rebel Camp was at Valley Forge, there fell a deep Snow, and a sudden Thaw following upon it melted all the snow and rotted all the Ground: so that the Rebel cannon having no platforms sank into it. After which a sharp frost came, and fixt them there: so that they could not soon be dug out, and made fit for use. The spies sent from Philadelphia [1] into the Rebel Camp brot notice of all this to S'r Wm. Erskin, and told him they had come back by another way, in which the Rebels had no Scouts: so that they would conduct the march so as that the troops should quite surprise them. S'r Wm. Erskin went with this Intelligence

[1] In a slip in Mauduit's writing, laid in No. 1 of Volume 1 of these pamphlets, he mentions the sinking of the cannon, but says: "During all the winter while the Rebels lay in this condition at Valley Forge Mr. Galloway was continually sending spies into their camp, who bro't an account of every thing that passed, all of which he told to Sir Wm. Howe. Galloway also shewd him three plans of the Rebel Camp, and markd where and how easily it might be attackd."

and told Sr Wm. How that if he would give him a number of men (6000 I think) he would go and attack em, and as their cannon was useless, his Guides were all ready, and the Rebels themselves without shoes, and in want of every Necessary, he would take or destroy their whole Army. S'r Wm. Howe answerd, he would consider of it, and bade him come again the next morning. S'r Wm. Erskin told him there was no time to be lost, and warmly expostulated with him, and went away very much offended. But the next morning before the hour when Howe had appointed to see him, Sir Wm. Erskin had a Commission bro't to him to be Quarter Master General. A Sopp to silence his reproaches for suffering the Rebels to remain unattackd.

This I heard from Moody: and Galloway said he knew it to be all true; and told me the Spies were of his sending, but he wondered how Moody knew it.

3 *a*. Clipping from the *London Chronicle*, July 20 [1779], the same as 5 *b* in Volume I. Mauduit has added:

And it is to be hoped there never will be a General so indeard to his officers, by signing all their Accounts and by allowing them to plunder the Americans and to charge to the Treasury whatever they pleased. Wrottesley has shewn himself in Parliament O'Hara was one of the most notorious Plunder[er]s, and he and Major Gardener both used to defend the American Cause, and Montresor from being worth nothing got How to sign all his accounts, by which he was enabled to bring home £150,000.[1]

3 *b*. Some pages (353–358) taken from the *Gentlemans Magazine*, August, 1778,

containing "Particulars of the Mischianza in America." Mauduit has added: "This Acct. and the Poetry is supposed to have been written by Major André."

3 *c*. The *London Chronicle*, February 11–13, 1779, pp. 147–150,

containing a communication, signed "Cato" written for the *Chronicle*, and addressed to Sir William Howe. A caustic review of his military conduct in America. Mauduit has pre-

[1] Charles O'Hara, who was of the General's military family, and William Gardiner who served as an aid to Sir William Howe.

fixed it with this MS. line "From the Caledonian Mercury," and he has struck out "Cato" and written "Lucius."

3 *d*. Clipping from the *Public Advertiser*, May 29 [1779],

signed "A. B." on honors given to Howe. Mauduit has added the letters "I. M." at foot, thus claiming the authorship.

3 *e*. Clipping from the *Morning Post*, May 29 [1779], without signature, on the same subject.

4. Historical Anecdotes, Civil and Military: in a Series of Letters, written from America, in the years 1777 and 1778, to different Persons in England; containing Observations on the General Management of the War, and on the Conduct of our Principal Commanders, in the Revolted Colonies, during that Period. London: J. Bew, M.DCC.LXXIX.

4 *a*. Clipping from the *London Chronicle*, July 27–29, 1779,

signed "T. P." and the same as 7 *d* in Volume I. The initials have been run through by Mauduit, and "I. M." inserted.

5. The Examination of Joseph Galloway, Esq; Late Speaker of the House of Assembly of Pennsylvania. Before the House of Commons, in a Committee on the American Papers. With Explanatory Notes. London: J. Wilkie. M DCC LXXIX.

The first edition, a second appearing in 1780. It is much more full than that noted in No. 8 in Volume I, and Mauduit has inserted the names of some of the questioners, like Sir Richard Sutton and Edmund Burke. Two of Mauduit's notes are printed on pp. 114, 115, *supra*. On p. 60 he writes:
"Mr. Galloway kept a regular Journal of the Army proceedings, from the time that he fled across the Delaware to join S'r Wm. Howe at Brunswick. These Events of war were all new, and must have made a strong impression upon his mind. These were the Subjects upon which he expected to be examined; and I saw him more than once preparing himself by reading over the several parts of this Journal. But he had no thought of being Questiond ab't the proceedings of the Congress; and so

little liked them at the time, that he had never lookd into his papers since. Can it therefore he wonderd, that he rememberd the Army proceedings better than those of the Congress? and yet he gives here as good an Acct. as Mr. Burk could of the proceedings in Parliament 5 years before."

On p. 62:

"What had all these Questions to do with the Inquiry into the Conduct of S'r Wm. Howe? But they servd to fill up the time, and prevent Mr. Galloway's being examined by other people. And with a very ill grace surely could Mr. Burk and his party upbraid or pretend to fix Guilt upon Mr. Galloway, for having been present in the Congress, while these Resolutions were passing, tho he dissented and protested against them; when Mr. Burk and his whole party here in England, justified and defended them."

6 *a*. Clipping from the *London Chronicle*, July 3, 1779,

signed "A. B.," in defence of Galloway. The initials have been run through by Mauduit, and "I. M." added. Against this clipping Mauduit has entered the note on Howe and Galloway, as in No. 8 of Volume I.

6 *b*. Clipping from a newspaper, without date or title, on Howe.

A fragment.

7. Letters to a Nobleman.

Same as No. 6 in Volume I. The same MS. sheet occurs between pages 50–51 as is noted in the copy in Volume I. Prefixed is a "Plan of the Operations of the British and Rebel Army in the Campaign, 1777," engraved by J. Lodge. See No. 4 in Volume I.

On p. 78 the fact is noted that Galloway himself was the person "who had offered to repair the dykes."

7 *a*. Same MS. note as 8 *b* in Volume I.

VOLUME III

1. A Short View of the History of the New England Colonies, with Respect to their Charters and Constitution. The Fourth Edition. London: Wilkie, MDCCLXXVI.

One of the few publications to which Mauduit attached his name. In its original form it was confined to a history of the Colony of Massachusetts Bay. Three editions appeared in 1774, and the fourth was expanded so as to include New England. Although this copy contains no MS. notes, the paging is peculiar. There are two pages numbered 29, and the reverse of the first so numbered is blank. The pamphlet runs to p. 60, which is followed by pp. 95–100, and then come pp. 73–101. On the front fly leaf Mauduit has written:

"If any man wish to know what a very honest Enthusiast, from his own visionary Ideas of the perfection of Civil Liberty, may fancy, that the Constitution or Colonies *ought* to be, let him read Dr. Price.

"If he think it of more Importance to know what the Constitution of the Colonies really is, this History will clearly prove to him from the Evidence of Facts.

"The Constitution of the Colonies did not wait for Dr. Price's Fancies; but existed a hundred years before he was born: having been already formd by their Charters; by the Conditions upon which they made their Settlements, under which they have been considerd as parts of the British Empire; and under which they have injoy'd the Protection and the Privileges of British Subjects (to say nothing of the constant Usage of the Crown, and then of the Parliament to tax them).

"The Constitution of our Government, like that of the human Body, is a System, that is already formd; and not a new thing, now to be fancied. And we may apply to it what Boerhaave used to say to us in confutation of fancied Theories: Corpus humanum Fit, non fingitur."

2. [Knox, William [1]] The Controversy between Great Britain and her Colonies Reviewed, etc. London: J. Almon. MDCCLXIX.

Mauduit has made three or four emendations of text, but only one note of interest. This will be found on p. 131, where is given an "Extract of a Representation of the Commissioners met at Albany, July 9th, 1754." On this Mauduit writes:

"This was drawn by Mr. Hutchinson, with Franklin's concurrence. Mr. Hutchinson told me, that he and Franklin drew up

[1] The writer was aided by material supplied by the Board of Trade, and by the co-operation of Grenville, who wrote pp. 67–86 inclusive. It is the quasi-official reply to Dickinson's *Farmer's Letters*.

all the papers and memorials of this Congress. I. Mauduit. So that this man, under the Encouragement of the then prevailing party, advanced all these bold assertions at the bar of the house, altho he knew that he had given memorials and a state of Facts that proved the falshood of them."

3. [Title-page is wanting. The half title on page 1 reads] The History, Proceedings and Debates of the Fifth Session of the House of Commons of the Fourteenth Parliament of Great Britain.

Taken from Volume XIII of the *Parliamentary Register*.

It runs from p. [1] to 64, and 269 to 412, and has many MS. notes by Mauduit. A peculiarity is at once noticed. There are many slips pasted in, in a writing different from Mauduit's. Most of these slips are attached to the pages covering the testimony of Sir Andrew Snape Hammond, and show an unusual familiarity with the local conditions in the Delaware River, much greater than one who had never been in America could have possessed. The writer must also have been on the ground when the British came to Philadelphia. The insertion of "my journal" in one of the notes gave the clue. The informant was Joseph Galloway.

The first four replies given by Cornwallis are annotated by the remark that "the truth is diametrically opposite to these answers. Gall[owa]y," in Galloway's writing (p. 2). On p. 4, in the same writing is the comment on Cornwallis' assertion that no boats were found on the Delaware: "A proposal for procuring 100 Boats which woud have carried over 100 men each, was made to Sir Wm. Howe, before he left Brunswick. Those boats might have been easily procured. But the proposal was neglected. Galloway."[1] On p. 12 Mauduit makes his first real comment "How willing to outrun the Question in favour of How, while he knows nothing of any Question that makes against him." When on May 11 Sir Andrew Snape Hammond was called to the stand, Mauduit says: "If the reader be apprized of that great partiality which Lord Howe shew'd to Captain Hammond, in preferring him to all the other Captains; he will not wonder at the evasive answers, and artfull misrepresentations, here made use of, to justify his Patron." (p. 33.)

[1] The notes and slips that follow are not in Galloway's nor in Mauduit's writing. There are some insertions in the other volumes in the same writing, and generally dealing with Galloway, or information obtained from him, speaking of him in the third person. I do not recognize the writing.

That the reader may not be left in any doubt Mauduit proceeds to make free comments upon Sir Andrew's answers, and so numerous are they that it will be necessary to list them with sufficient of the text to locate them. The letter G is added to such notes as are in the unidentified writing, yet indicate Galloway as the author or informant. The text is given in italics:

P. 34. *I dont know any River so difficult of Navigation.* It is certainly not difficult any where above Bambo Hook: and below that place the Rebel force upon the River, from their low construction could not venture. G.

Ships of war can only pass certain passages at particular times of the tide. And is not this the case in almost all Rivers?

The report which I recollect I made to Lord Howe, etca. The common Report in the Fleet and army was, that Capt. Hammond had informd the General that the Rebels were so well prepared in the Delaware, with Fire Rafts etca. that he could not get up. With this Report Capt. Hammond was repeatedly charged in Philadelphia: and he as often denied that he had made any Report to discourage the going up the Delaware. G.

The Coast of Delaware . . . is lowland etc. This is not the Fact: There is a bold shoar, without marshes, and a very good Landing for the whole army at Bombo Hook, below Rheedy Island. And there are no Creeks, which run more than six miles from the Bay, before they are passable for men on foot.

The River is so narrow.[1] The main channel of the River from Rheedy Island to New Castle is from two to three miles wide, in which the largest of the men of war Lord Howe had with him might safely ride. G.

P. 35. *There was a Ship calld the Province ship, etca.* The province Ship mounted only 14 six pounders. G.

The Delaware Frigate, etca. The Delaware Frigate mounted four twelve pounders, twenty nine pounders, and six four pounders. G.

A Brig mounting, etca. The Brig mounted only fourteen six pounders. G.

Two Floating Batteries, etca. These Floating Batteries had Ten eighteen pounders each. But they were not Finishd nor mannd, when Howe was in the Delaware on the 30th [July]. G.

13 *Rowe Gallies, etca.* One of these Row Gallies carried one 32 pounder; six of them a twenty four pounder; and six of them an eighteen pounder. G.

[1] Governor Johnstone was the inquisitive member who framed the questions on the nature of the Delaware.

Thirty six Row Boats, etca. There were only Twelve Row boats. G.

Twenty five or thirty fire Rafts, etca. There were only Ten Fire rafts. G.

I saw them all myself. How could he see them, when they were all destroyd by the Rebels before our Fleet got up?

It is an entire marsh. There is a mile of good firm ground above Newcastle and below Wilmington.

P. 36. *My intelligence mentioned Wilmington.* The Captain very cautiously mentions his Intelligence, and not his belief: for Washington's army was then in the Jerseys, and there were no troops in Pensylvania, nor within ninety miles of Wilmington. G.

To remain posted at Wilmington. If the rebel Army had been at Wilmington, the British army might have landed at New Castle or above it. If at New Castle, it might have landed at Wilmington, without any molestation from the Enemy: as the distance from one place to the other round the Head of Christiana Creek is 14 miles. G.

By the works I saw at Wilmington. Those works were made after the British Army landed at the head of Elk.

Marching of Armies. Just before, when it made for his Patrons Service, he could readily determine, that the Rebel Army would march to Newcastle to oppose the landing on the Delaware: but now when he is ask'd, whether they would not for the same reason have marchd along a plain Road to the head of Elk, the Evasion is, I have very little knowledge of the Marching of Armies. G.

P. 37. *Distance between Reedy-Island and Newcastle.* It is twenty miles from Reedy Island to Newcastle. [Sir Andrew had answered "five or six miles."]

There is no part of the Delaware. At Rheedy Island the Delaware is seven or eight miles wide, and the sea is too rough for the Gallies. Their sides are not above 18 Inches above water.

How far was the lower chevaux de frise from Reedy-Island? It is 40 miles from Rheedy Island to the lower chevaux de Frise. [eighteen or twenty, according to Sir Andrew.]

Every intelligence I had received. See the note on page 34. He still cautiously sticks to the word Intelligence; for he himself can scarce be supposed to have believ'd it, as that intelligence, he himself says, was given him at the Capes, near 100 mile below Wilmington; and Washington was in the Jerseys, near 100 mile above Wilmington.

P. 38. *Not less than four or five days.* On the 30th and 31st of July, and for a fortnight after the wind was fair, and there was no part of that time in which the fleet might not have sailed from the Capes to Rheedy Island in 24 Hours: the Distance being only 8 miles. G. The Channel from the Capes to Reedy Island is five fathom at least. See Fisher's Draft.

Row-gallies in particular are constructed to go in very shoal water. The Row Gallies draw some three feet, some four feet. The largest, the Washington, Commodore Dougherty drew between 4½ feet and five feet.

P. 39. *I think it is a very rapid tide.*[1] Will any other mariner call it so?

As they had encreased their force. Their Force had not been increas'd from that time to the 30th of July.

P. 40. [On fire rafts] The Tide doubtless must run much stronger in a channel a quarter [third] of a mile wide than at Newcastle, where it is two miles wide. These fire Rafts obliged the Roebuck and Leverpole to slip their cables in a channel, which was only a quarter of a mile wide: therefore they would have obliged Lord Howe with the Royal Fleet to run away in a channel two miles wide. Sir Charles Saunders at Quebeck, where the channel is but a mile broad, and the stream runs ten knots or miles an hour, despised these Fire Rafts. But the British Navy never was doomd to such Infamy, as it sufferd under the Command of Lord How.

[Between pp. 40–41] Captn Hammond will not find the Ignorance and credulity of mankind quite so great, as the Confidence with which he asserts, that it was dangerous for the Army to land at Newcastle; where the Transports could come close up to the Wharf, and the great Ships could come close up to them, or in a channel two miles wide could chuse their stations to protect them.

The Question is not, as L'd Howe and Captn Hammond have fallaciously stated it, whether it is safest for an Army to land without opposition, or with it. But whether Lord How was to lose two months of the most critical period of the Campaign, and to sacrifice the King's northern army, which he had the King's express orders to cooperate with, upon a bare possibility of finding resistence at Newcastle, which he certainly would not have found, either at Newcastle, or any where else. Washington with all his little Army was then in the Jerseys; the rebel defences and water Guard were not finishd. But Burgoigns ruin was not then begun and that alone made it too soon for them to act.

The larger Transport ships, which went from hence, carried over each of them a Flatt Boat (built here) upon their Deck, and each of these Transports had the care of its own Flatt Boat, to mann it, when it was wanted. They required six or eight men and a cockswain to row them, and when the service was over they were returnd to their own ship. When the Boats had landed the Troops at Long Island, the Fleet of Flatt Boats was laid up under the care of their

[1] Sir Richard Sutton was the questioner on the tides of the Delaware. *Parliamentary Register*, XIII. 102.

several Transports, and they all lay at Red Hook, below the Rebel Fort at red Hook. So that they were all within two or three miles of Governour Island, when the Admiral sufferd 3 or 4 Rebel Boats to pass from N. York to that Island, for two days together in his sight, and take off the troops and Tents and cannon, and all the Stores, which had been left there.

P. 41. These Row boats had only four pounders. And they had but Twelve of them, instead of 36.

P. 42. *Did you know of any body of troops*, etc. Still using the same caution. He will not answer he knew of any troops on the western side of the River; but he received Information — from a man at the Capes, 200 miles off Washington's Camp in the Jerseys.

P. 43. *In so narrow a channel as that.* He has forgot that he had told us, that the channel was two miles wide, and the River near three miles.

None that I saw. He might say none that he saw; but could not say none that he knew. For the Howes knew that Burgoign was then coming down to them; and that they were bound by the king's orders to cooperate with him. And to run every Risque therefore (if there had been any) to land at Newcastle; instead of flying away to sea for fear of being opposed by the most contemptible of all Force.

P. 44. *To oppose them.* Captain Hammond knows, that there were no Militia in Arms from Wilmington to the Capes on either side of the River, nor a single cannon to oppose the Landing. G.

Brig'r Gen'l Rodney had the command of them. That Brig'r General never did nor could muster 400 Men. The Delaware Counties were almost universally disaffected to the measures of Congress; so that there was no danger of an Opposition to the Landing. This was proved by the same Militia not opposing the Landing of the troops at Elk River. G.

P. 45. *North West particularly in the night time.* The south west wind generally prevails in the months of June, July and August; the westerly wind in these months is only a gentle Land Breeze in the Calm nights, which do not extend ten leagues to sea, nor continue but a few hours. But far out of the reach of these, Lord Howe took care to keep the fleet. G.

If we had been certain that the southerly winds would have lasted. If an admiral is never to act till he is sure the fair wind will not change, he must never act at all.

If the fleet had gone up the Delaware, etc. In the Circumstances thus stated, this would have been impossible. For the Gallies can not beat to windward with the Tide against them; and therefore could not have come down.

P. 47. [Distance from Mud Island to Reedy Island, stated by

witness to be twenty five or 26 miles.] He had said before 18 or 20 miles. It is really 40 miles from Mud Island to Reedy Island.

As high as Chester. A 64 Gun ship may lie in any part of the River, far above Philadelphia, except on the Bar opposite to Wilmington at low water. The Tide ebbs and flows eight feet. G.

P. 48. *Twelve men and an Officer each.* There were 300 Transports in the fleet, three men from each transport amounts to 900, so that there were men to be spared from the Transports to have landed the Army without taking one man from the men of war, which might have been employd in defending the fleet against the Rebel water Guard and fire ships and rafts. G.

If the fleet had proceeded, etc. The Delaware is thus narrow only above the Mud Island Fort, no where below it.

It relates principally to the parts, etc. This answer is not true.

Not possible to sail during the night. The fleet did not stop, as appears by my Journal but one night. It was moonlight and the wind tolerably fair. And the Admiral had his Boats as marks to direct the fleet. G.

I do not conceive that a fleet, etc. Every part of this answer is either evasive, fallacious, or false. The difference was two months instead of three weeks. It was not uncommon, the southerly winds he knew generally prevail at that time of year, and his north wind they knew would last only a few hours. They were told that the south winds constantly prevail in those months.

P. 49. *That depends totally on the distance.* The Distance must have been very short indeed, at Newcastle: for a Frigate could lye up to the warf. At the head of Elk it was much greater, and yet the morning on which the troops began to Land there, they were all landed by one a clock at noon.

About three days. This rarely ever happens in the Months of June, July and August, the winds never being then so long ahead as [to] occasion this delay. G.

Only 8 or 9 Pilots to 250 sail. Eight or nine pilots were more than sufficient, under a good Admiral, to carry up a thousand sail with safety. G.

P. 50. *Up to Newcastle.* The fleet with a north wind would never have got to Newcastle. G.

Four or five miles of Ground. Note — the Channel at Newcastle is two miles in Breadth, so that the whole fleet might have anchord certainly within one mile. They did so at the Elk river, and in less distance. G.

There are no other notes of value in the pages following, only three or four pen entries being found, except at p. 376, where some short hand notes are laid in.

Dr. GREEN then stated that,

In the last volume of the *Proceedings* (XLIII. 631) there is an allusion to an organ, which is somewhat obscure. It is printed among the Willard Letters, and is found in a communication written by T. Brand Hollis and dated at London January 30, 1788. The allusion is as follows: "With respect to the organ I only thought it necessary for my own honor, as it conveyed a reflection, & I took that answer to vindicate myself.

> Yet what is musick and the blended power
> Of voice with instruments of wind and string?"

The solution of the reference is found in a note written in the copy of a small tract against the use of instrumental music in the worship of God, which was published in London, and in its origin had a certain connection with the oldest church in Boston. The title of the pamphlet is "A Tractate on Church Music; being an Extract from the Reverend and Learned Mr. Peirce's Vindication of the Dissenters" (London, 1786). The inscription on the *verso* of the title-page reads: "This Tractate on Church Music is inscribed to the Reverend Doctor Chauncy and the Reverend Mr. John Clark, the ministers; and to the several members of the First Congregational Dissenting Church in Boston in America."

The pamphlet begins as follows:

> The subject before us may be resolved into a question, which, simple and uncompounded, is no other than, whether it be fit and proper to introduce the use of instrumental music into the public worship of almighty God, as being able to excite in us devout and spiritual affections?
>
> Plain singing is universally admitted to be, at once, capable both of raising and improving sentiments of raitonal piety and devotion; and is commanded in the new Testament. Where the heart and understanding are so intimately interested, like every other united act of praise, it is calculated to produce a good effect. But the addition of instrumental music should seem more calculated to divert and dissipate the pious affections of a reasonable service, than to fix them upon their proper objects. And if express authority be pleaded in its behalf, such authority should be proved by other evidences than a general command concerning singing. It is not enough, to say, that musical instruments are able to stir and cheer

our minds; for it is not lawful for us to bring into use such things, of our own heads, into God's worship.

In a postscript to the Tractate, the editor expresses his gratification at having the approval of his sentiments by such divines as the Reverend Dr. Price and the Reverend Dr. Kippis, and adds extracts from their letters. "He is the more desirous of subjoining the opinions of these gentlemen, because he knows the deserved esteem with which their names are regarded in America." Dr. Price strongly disapproves of "instrumental music in churches," and says that "it is a deviation from the simplicity of Christian worship which has a dangerous tendency and may terminate in all the fopperies of popery." Dr. Kippis is equally explicit in the expression of his views. He writes that "the use of instrumental music in Christian worship has no foundation in the New Testament, which is the standard of our faith and practice. If once we depart from this standard there will be no end to innovations. An opening will be laid to the introduction of one superstition after another, till the simplicity and purity of the gospel service are wholly lost. Every thing, therefore, which tends to divert men from a rational inward devotion to external pomp and ceremony ought to be discouraged as much as possible."

One naturally asks why this Tractate, printed in London, was dedicated to the ministers of a dissenting church in a distant and foreign town? The explanation is to be found in the following note, written in the margin of a copy which I once saw, then belonging to the late Mr. Henry Stevens, of London. In the year 1786 this copy was the property of S. Toms, in whose handwriting the memorandum appears to be.

Printed by the direction of Mr. B. H., for the purpose of sending to Boston, where he actually sent a number to Dr. Chauncy, &c., instead of granting the request of £500, for an Organ, they repeatedly made to Mr. Brand Hollis, and meant to put in their place of worship.

From this note it would appear that an application had been made to Mr. Hollis for an organ, and that he took this method of giving his views on the subject. It can be known only by inference what the applicants thought of the method.

Mr. Brand Hollis and Mr. T. Brand Hollis are the same person. See Quincy's "History of Harvard University" (II. 411).

More than forty years ago I wrote a notice of this Tractate, which was printed in the *Boston Evening Transcript*, January 14, 1870.

Mr. JAMESON, a Corresponding Member, communicated, through Mr. FORD, letters of John Bridge and Emmanuel Altham, 1623, 1624, with this commentary upon them:

The following letters were discovered a few years ago by Mr. Reginald G. Marsden of London, at the same time with the letter of Governor William Bradford and Isaac Allerton, which he published in the *American Historical Review*, VIII. 294–301. The three papers were found in a mass of then unarranged and uncalendared material in the Public Record Office, which had been sent to that office from the Registry of the High Court of Admiralty. The three letters were produced as evidence for the defence in the suit of Stevens and Fell *c.* The *Little James*, a suit brought by two of the crew of that famous little vessel after their return to England from Plymouth in 1624. They sued for their wages. The defence was, that they had forfeited their wages by mutinous conduct; and in the end the claim was dismissed. The letter of Bradford and Allerton, dated Plymouth, September 8, 1623, and addressed to the merchant adventurers who had provided the colony with capital, was despatched on the *Anne*, sailing from Plymouth September 10. The present two letters, for the text of which I am indebted to Mr. Marsden, are addressed to James Sherley, one of those adventurers. The first, that of the unfortunate John Bridge, master of the *Little James*, was dated September 9,[1] and went in the *Anne*. The date of the second, written by Emmanuel Altham, captain of the *Little James*, may be read, I am informed, either May 28, or October 28, 1624. It must however have been May rather than October, since the *Little James* herself sailed from Plymouth in August, as we know from the fact that she carried Lyford's letter of August 22, 1624.[2]

Emmanuel Altham appears in the list of the merchant ad-

[1] Not September 27, as stated in *American Historical Review*, VIII. 295.
[2] Bradford (Deane), 188.

venturers, dated 1626, in Bradford's letter-book.[1] In the records of the Council for New England we read, under date of January 21, 1623, "Emanuell Altam goeth Capt. in the New pynnace for Mr. Peirces plantation,"[2] and again, under date of February 25, 1623, "Lycence granted for the little James to Samuell [meaning Emmanuel] Althem."[3] Later, under date of March 11, 1623, it appears that the marshal of the admiralty had impressed some of the sailors of the *Little James*, of which Altham is again mentioned as captain.[4] Captain John Smith also speaks of "Altom" as captain in this voyage of the *Anne* and *Little James*, and of his being sent away, after the arrival in Plymouth, to trade to the southward with the smaller ship.[5]

That the master of the *Little James* was named Bridge or Bridges we know from Morton, "Mr. Bridges being master thereof."[6] A list of those who came in the two vessels is printed by Young.[7]

Concerning the arrival of the two vessels, Bradford says, "About 14. days after came in this ship, caled the *Anne*, wherof Mr. William Peirce was m^r^, and aboute a weeke or 10. days after came in the pinass which in foule weather they lost at sea, a fine new vessell of about 44. tune, which the company had builte to stay in the cuntrie."[8] Winslow's statement is, "In the latter end of July, and the beginning of August, came two ships with supply unto us; who brought all their passengers, except one, in health, who recovered in short time. . . . The bigger ship, called the Anne, was hired, and there again freighted back; from whence we set sail the 10th of September. The lesser, called the Little James, was built for the company at their charge. She was now also fitted for trade and discovery to the southward of Cape Cod, and almost ready to set sail," *i. e.*, almost ready when Winslow and the first of these letters departed from Plymouth in the *Anne*.[9]

The present designation of the place of these letters in the Public Record Office is "Admiralty Court Misc., bundle 1142."

[1] 1 *Collections*, III. 48.
[2] *Proceedings of the American Antiquarian Society* for April, 1867, 79.
[3] *Ib.* 88. [4] *Ib.* 89. [5] *Generall Historie*, 239.
[6] *Memoriall*, 48. [7] *Chronicles of the Pilgrim Fathers*, 351.
[8] Bradford, 142. [9] *Good Newes*, in Young, 351–353.

BRIDGE TO SHERLEY.

Prima.

WORTHEY SIR, — My dewtey remembered and to your blessed wife yelding you umbell thankes for your kind remembrances and love both towardes me and my pore wife may yet please you to understand after a long and trubellsum pasag we safeley araived at our port with all our Company and one mor for Goodey Jenenges [1] was delevered of a Child in the Shep a month before we cam a shore and are both well yet god be praised father Virtcher [2] and his wife wear as hartey as the youngest in the shep and ar stell other informations I ned not sertifie you of but concerninge our owne afares for ther be a none eles will both by word of mouth and writing first your shep proveth wonderos good aney can be there was never a finer bote swome but as for the companey are men good to but young grenne headed felowes and very uncarefull of aney husbandrey in a shep whitch makes my trubell great for lack of a staid man for our howld We had a great maney of thinges spoiled that might have ben saved for Jenenges he had no laisor for all he could doe with more help was to letell for to give tendance to his lazey wife for toppe he and all the rest would not tak that paines for theay sailled for nothing So that from one to another I never leved with more discontent in my life then I have done for trewley I am so bound to your love you may comand me to doe mor then any man that ever I served but no man shall mak me venter to sea againe with men upon the sam condetions for theay car not whitch end went forwardes and now the governer seing our troubell so great and fering what might insew haveth cum to cumposision with them for wages [3] or eles I might have bread a gre[at] inconveinentes whitch the captain and I allwais fered so that yet is now a letell mended and I hop will mend still we ar now bound to the Suthward a trading I pray god send us god suckses for corne and skenes and in the spreing god willing I think we shall to the norward upon trad and fishing we are now readey to set saill within this 2 daies for till Mr Perse was gone [4] theay could not spare us noe men or else we had ben gone befor now but we shall be sone enow for corne and I hop to god for skenes we were 3 monthes and 2 daies outward [5] and had mutch foule wether and foges consedring the

[1] Presumably Sarah [Carey], wife of John Jenny, is meant.

[2] Edward Burcher, or Burchard. Savage (*Dictionary*, I. 300) says he came in the *Anne*.

[3] See Bradford, 155, and the letter of Bradford and Allerton, *American Historical Review*, VIII. 296.

[4] Captain William Pierce, with the *Anne*.

[5] As the *Little James* arrived, judging from Winslow's statements, not later than August 8, it must have sailed not later than May 6.

time of year as ever I knew the Ane was thear 8 daies be for us we rod at anker upon the cost 7 daies befoged and she being a great shep in time of fowle wether out bor us I think that was the reason yf we had not renewed our vetales at the Ile of Wight we had cum short of drink especially for we careyed but 4 hoges hedes of beare in with us and our other provetiones mutch wasted. Sir I receved your leter and M'ris Sherleyes token whitch I umbley thank you both for for inded you have done me as great a kindnes as might be in the leter for god knowes when I shall hear from my wife againe that may be not before I cum hom whitch I think will be the next sumer theay have so promised me likwise in the good drinke for in could wether father Adames all[1] will be verey could whitch I pray god restore M'ris Sherley againe 4 fowlde for god willing I will indever the best I cane to mak you amens So dear frendes with my dayley prayeres to god for your longe blesed hapey and joyfull lives together I rest your por sarvant bound in all dewtey

JNO. BRIDG.

Plemoth in New England
September the 9th. 1623

Sir yf my wife mak bowld for to trubell you be for I cum hom let me intreat you for to firnesh hir for a woman may have maney occasions in hir husbandes absentes and rather I am to want my self then she Good Sir let me intreat you for to rember my serves to the worshepfull Companey of new England and let them under stand I will folow thir besenes to the utermost of my power god willing both in husbandin of your shep and in other afares my pestoll haveth bad sutceses for you sent it with George Morten[2] and he left it at Ports mouth Good Sir let me intreat you to remember me to Mr Sherley[3] and his wife and to all the rest in generall of the good companey Mr Sirgen[4] is cum away upon sum distrust and misbehavevyour but let every man medell with his owne maters for I have enow of my owne So Sir faring lest I be tedious with my dayley wishes for your blesed helth and hapeynes with your blesed bed felow, I rest

Yours in all dewtey

JNO. BRIDG.

I pray Sir to remember me to Mr Glase you can tell him yf he did earn his quart of win god willing I will pay yt at my retorn

[1] Ale.
[2] George Morton, Bradford's brother-in-law, came in the *Anne*.
[3] Probably John Sherley, as in Altham's letter.
[4] Thomas Dawson the surgeon; see the letter of Altham, p. 187, *infra*.

faine I would [send] him a token but the pine tres are to bege I cane not in cloe them in my leter once [more] der frend god kepe you

[Address] To his aproved frend Mr Jeames
Sherley at his house in Croked Lane
thes deliver
In London
per a frend whom god preserve
[Endorsed] Mr John Bridge from new England — September 1623

Altham to Sherley.

Most Worthy Friends, — Your Lovinge Letters I have both receved much about one time beinge about the middle of Aprill 1624, wherein I conceve both your greate love and care over mee which for my part shall never bee rewarded with ingratitude. It pleased god that your ship called the Charity arrived at Plimoth in New England about 5 weekes after her departure from the English coast but the certaine day I know not [1] because I was at that time 60 leagues from thence at Pemequide a fishinge but after she had delivered her passengers and goods she went imediatly to Cape Ann where in all likely hoodes they are like to make a good vioage if god with hold it not [2] for in all possibility the settled course which your selfe and the Company have taken will bring in much profit for indede it is the only meanes above all other yet notwithstandinge the trade of furres may helpe but that is not so sure a thinge by reson of divers (as I may call them) interlopers.

Soe sone as Mr. Perce [3] his cominge into the land came to my eres I was forced much against my minde both by the importunity of Mr. Brige and insolences of all our company to make a vioage from Pemequide to Plimoth which had I not undertaken although with much hazard of my person all our company had and would have dispersed themselves and if ether my selfe or the master would detaine them they openly thretened a more spedy revenge ether to kill us or to blow our ship up but thes things are past and the party deade whoe spake it and I feare that god whoe knoweth all hearts prevented him by death from actinge thoes villanous projets which by his words in his life he professed to do.[4]

The occasions of this was two, first in regard provisions went

[1] In March, 1624, according to Morton, 72 (of ed. of 1855).

[2] William Pierce was to be captain of the *Charity* on her homeward voyage. In coming from England, Baker, a "drunken beast" was the master.

[3] The ship went to Cape Ann for fish, but arriving too late for the fishing season, the voyage proved a failure.

[4] Perhaps one of the two men named as having been lost with Bridge.

very hard with us and the next was a folish and nedeless feare they had of there wages. To prevent all this and farther mischeife I went to Plimoth about the beginninge of Aprill where by the way I was forced with contrary winds and fowle wether to stay somewhat longer then I wished, but at my coming to Cape Ann I there found Mr. Winslow[1] and master Perce for which I was very joyfull and soe h[avin]ge receved of them divers comendations and letters from your selfe and my other frends I went with all possible spede to Plimoth to know the governors resolution for thus it was, that provisions we had but very few before Crismas but were fane to heve some pease out of Plimoth store and soe because we were goinge to fish amonge our countremen we thought to get divers things by reson of Mr. Brige his acquaintance, but thes our hopes were much frustrated for coming to the fishermen we could have noe provision without present pay which I was destitute of notwithstandinge I offred to become bonde for any thinge I tooke up, but they not regarding nether the Companies nor my word did rather solicite our men to come worke with them for there victals, and to leave the ship, then to shew any love or frendship to us in helpinge us, there fore rather then our company should goe away and our vioage be overthrowne we were constrained to use a present though unwilling meanes to get some provisions as bred and pease which before wee were destitute of soe havinge despached my business at Plimoth and receved my or[der] From the governor Mr. Bradford and his assistants, which was that looke what fish wee had caught in our pinnace should presently be brought to Cape Ann and to deliver it to Mr. Perce and afterwards to aide and helpe Mr. Perce in his vioage, in what we could both with our men and boats to all which as I am in duty bound soe I consented unto it and with all convenient spede wente away to our ship Mr. Winslow beinge with mee and by this time which was about the last of Aprill I thought Mr. Bridge had kild about 10,000 fish for more I thinke our salt would not have saved, but by the bacwordness of our people and strange mishap thes hopes were quite altered for coming within one daies jorney of our ship this untimely news came to mee that our pinnace was cast away and Mr. Bridge and two of our men drowned being John Vow and Peter Morrett (all which news did not a little troble mee) knowinge what great cost and charge you have bin at for us, and also knowing that upon the good and prosperity of the ship and vioage depended part of my reputation and profit. but this unwelcome news did in conceite deprive of both. But cominge home to our ship I there found this news true thus farr, that Mr. Bridge our master was drowned and

[1] Winslow had returned to New England in the *Charity*.

the two men, and the ship in a very strange manner spoiled for thus it fortuned that upon the 10th of Aprill 1624 hapned a greate storme and some of our cables that we were mored withall gave way and slip of on the place they were made fast to ashore and soe the winde and sea being very high drave our ship a shore upon rockes where she beate.[1] In the mean time being night the master and Company arose and every man shifted for them selves to save life, but the master going in to his cabin to fetch his whishell could not get in to any boate aboute the ship the sea brake soe over the ship and soe by that meanes before a boat could come the ship overset and drowned him and the other two and the rest that were got into our shallops that hung about the ship had much a doe to recover the shore your cosin for one for the ship oversettinge pich her maineyard in to one boate where were 6 or 7 of our men and soe sunke her for thoes that could then swim got to the shore with much hurt the rest that could not swim were drowned, and soe before the next morninge our ship was quite under water sunke and nothing to be sene save only the tops of her masts some times for the sea did rake her to and fro upon the rocks All which disasters did not a little troble mee for our ship was not only spoiled, our men drowned, but wee that were saved lost the most part of what wee had in the ship, my selfe especially lost my bokes and some clothes and most of what I had, but my comfort is that God will restore mee some thinge one day againe for afflictions are but trialls of his love. [We lost three shallops and our ships boate and another shallop we borrowed which we . . .][2]

After my cominge to our ship and seinge how al things stoode and that although the ship were much spoiled and bruised insomuch that some of our neighbors very dishonestly intised our men to leve the ship and to seeke out for there victals shewinge them that the ship was unrecoverable and usinge many arguments of diswation (to them) god knoweth whoe were willinge to intertaine any thinge against us before but now laiyinge hold one of this oportunite reioycing or I here departed. But at my coming home I got them all together and sought farr and nere for helpe to recover our ship if it were possible, which to doe seemed difficult but by the helpe of one Mr Cooke of Bastable and divers of his frends and my acquaintance, weighed her out of the water and soe by the helpe of many hands wee got the ship into a place nere by convenient to see what possibility there was of saving the ship. Soe having viewed her, there was broken of her starbord side 6 or 7 plancke and some

[1] At Damariscove Island, Maine, near the mouth of the Damariscotta River; see the parallel narrative in Bradford, 155–156.

[2] A sentence written lengthways in the margin, and not completed.

timbers which wee mended with helpe and one her larbord side halfe her plancke timbers and knes were broken in such sort that then she was thought impossible to hold together by reson of the hurt she had receved outward and the shaking of the beames and timbers inwardly but blessed be god by the helpe and meanes that I have got of carpenters shee is now made up as strong and sufficient for the sea as ever she was, and if not one of our company come in her yet by the helpe of god we beinge fitted with a sufficient man master I will come in her and doe not doubt but through gods mercies to doe well in her.[1] although for this time we shall not make soe good a vioge as is expected for whereas we thought to have got 10 or 12 000 fish we had scarce 1000 and some of that was lost and all our salt for the ship beinge beate ashore brake downe our stages and there we lost both the salt and fish that was in it and all the rest of the salt, powder, provision, and many other things which if god spare my life I will give account of were lost, the rest of the things that wee saved shall safely and truly be delivered by mee to you with an account of all our mens cariages and behaviors that soe you may reward some and reprove others.

And now, Lovinge Sir, since that I have trobled you with writtinge thus farr pardon mee if I bee to tedious, for it makes mee continually be the more larger to you in writtinge, because I know both you and many other good men have laide out much mony upon Plimoth plantation and especially as for the goods upon this ship, soe do I conceve and know your eyes are upon us in a more especiall manner, and for that this vioage hath not begun nor ended soe well as ether you or I could wish yet I pray pardon mee for a while in the same untill I shall come to speake with you and the rest of the Company, For untill then I will nether comend my care and deligence, nor dis-comend the want of ether of them, for full sone may a man err, but as my labor and care was never wanting heretofore so untill I shall make a full accomplishment of this troblesome vioage and then to deliver all things in to your owne hand I will continue the same, and as at this time I have noe man to assist mee that I can trust (the master beinge gone) soe will I straine to the uttermost of my knowledge to bring every thing to the same order it was, and then to come for England if our governor pleseth and he hath sent me word that he will provide mee a sufficient man for master notwithstanding Richard Gardiner hath earnestly requested it claiming it as his due by place, but some say not by sufficiency.[2] I will say noe more concerninge him be-

[1] On the saving of the pinnace *cf.* Bradford, 188.

[2] Originally one of the *Mayflower's* company, "Richard Gardiner became a seaman, and dyed in England, or at sea." Bradford, p. 454. What is here said

cause I know you shall understand it by others, only thus much I must nedes say that soe farr as he could he was willing to helpe us with the ship and now he takes it somewhat unkindly that seing the Company have sent our ships company assurance for there wages that he is not intimated therein, soe much for that which is to be left to your and the Companies wisdome.

And once againe let me be pardoned if I seme to be overbold. I understand by your Letter to Mr Bridge that you are somewhat discontented with mee for not takinge a French man which wee met withall, but to the contrary wonderfully comend and extoll Mr Bridge for his corage and forwardness in the same notwithstanding my backwardness. To answere which I will doe in few words. It soe happned that about 400 leages of the lands end of England we met with a small french man as I take it he was of Rochell, in the morninge we had sight one of another and he stoode right with us and wee with him, Cominge nere us hee spied us to be an Englishman soe he stoode away from us and by a sudden puff of winde brake his maine mast, for we beinge desirous to here news and alsoe to see if he had any skins abord or if he had bin a trading one the Coast of new England we stoode after him and hailed him what he was and whence for he told us he was of Rochell and that he had but 7000 of Corfish abord of him and that he was come from the banke of new found land a fishinge and also that his ship was leake soe he made the more hast home before he had made his vioage, but we mistrustinge him sente our boate abord him to see if he had skins, but in conclusion we saw he was very pore and had not bin a shore on noe place, and soe gave us some fish which at that time we stoode in greate nede of as alsoe of woode of which he had none because he had not bin on land noe where. All thes things being considered I hope you will not blame mee, for I would doe in your behalfe in that kinde rather more then less then my commission would beare me out in, but this ship was 500 leages from any part of new England when we met her and if I should have done it I had brought a greate troble both upon you and my selfe for I will assure you and all the Company that if you will but get a letter of mart [1] and a safe protection from his Majestie of England for taking of french men on new found land banke you might esily with this pinace take and leave what ships you list. for wee had sight of 20 saile of French men at one time and I beleve never

of his position strengthens the argument made by the late Mr. William T. Davis, 12, 13, of the edition of Bradford in the series "Original Narratives of Early American History," to the effect that he, and not Robert Cushman, was the "R. G." of Mourt's *Relation*.

[1] Marque.

a one had any ordnance, but to end pray pardon mee if I have done amiss but what I did I have done in my opinion and in the opinion of all the companies at Plimoth for your pease and my owne safty, for the governor hath sene my comission and saith him selfe I could not have answered it,[1] therefore pray blame mee not for my good will and care, for I should be very loth to lose a frend for nothinge and upon noe occasion especially when frends are hard to get, and as at this time although I might complaine of my time all spent because it hath bin a troblesome time to mee yet I am quite of another mind for as I was called by god to this place so through his blessing I will discharge it honestly whether I lose or gett by it but out of all question the course that you have setled now will bring in profit inough, for they make salt at Plimoth, and have good store of boates, all which is meanes to bring in profit, and I make noe question now but that new Plimoth will quickly returne your mony againe for the most part they are honest and carefull men, however they have had many crosses, yet now they will florish god blessinge them, which god grant.

I doe understand that Thomas Dawson the sirgion hath bin very large on his tongue concerninge my selfe or that I should be displaced by Mr Bradford, and many other contumelious speches, as alsoe he informed you about the frenchman, for all which I pray sir if you see him certifie him that I will make him answere it in England, and although it cost 100li I will make him see the goale for it, and there he shall lie if god bless me homeward, if it please god to deale otherwaies with mee I pray god give him more grace, but I hope you doe not beleve him, but I wold wish you rather suspect him, for he is the veriest villane that I ever knew as hath bin testified buy his cariage both to Plimoth Company, your owne selfe and Company and alsoe to mee And truly I feare that I shall justly lay that to his charge which if it be prosecuted will goe nere to hang him.

Att this time I doe expect news from our governor Mr Bradford and as I thinke he will determine that we shal bring home Mr Perce his cor fish and traine, but I thinke it will fall out otherwaies, for I have at this present receved a letter from one of my acquainetance that is owner of a ship in this Country and he proffers me for to hire our ship and to take our men out and to put them in to his owne ship which goeth for the streights[2] and soe by this meanes I hope to get a good fraught and to save wages and provisions for some of my owne company and this answere I have returned him that I demand 140li for our ship and to come for England presently soe that then we shall be defrayed of all charge and

[1] Bradford, 155.

[2] Of Gibraltar.

have our ship brought home for nothinge, and indede we must be forced to come for England very sone because we have noe provisions nor have any meanes to get any, but of all thes thinges I write in what I thinke, for I have and ever wil doe reffer all thes matters concerninge your ship to the governor and his assistants directions, and if good suffer mee they shall be followed.

I pray Sir let the 40^{s} I gave Mr Mastige a bill for be paide at first sighte for he did mee a greate kindness in it for otherwaies I could not have got some bred which I did.

Thus my love beinge remembered to your selfe and wife with thankes for your token I receved by Mr Winslow being 3 gallons of hot water Pray remember my love Mr Terrill Bacco [1] Mr Stubs and his wife your brother Robert and Mr John Sherle and his wife to Mr Brewer [2] Mr Collier [3] Dr Ran Mr Marshall Mr Thorrell [4] and to Mr Pocop [5] my good frend and especially to Robert Cochman [6] and all thes the rest of my lovinge frends of the Company and out of the Company.

And I pray Sir if you please let the Company see my letter for looke what I have wrote to you in particular soe much would I have wrote to them in generall but time did wonderfully prevent mee in such manner that I am put to streights every way.

I pray remember mee kindly to my two brothers and my sister and the rest of my lovinge frends and pray let them know I could not have time to write to them, only I pray tell them I am well and that I hope one day to see them againe, but the time is uncertaine, yet I feare wee shall come soner than I desire since our greate expectation is soe hindered by misfortune, but I doe not doubt of the profit that may be raised the next yere for now you have laiyed as good a ground plot as ever was and better then before, for with out this course of fishinge you cannot have your monies againe [7] Thus praying to god daily for them and you and for al well willers to this forraine plantation I ever rest yours and others to my power

EMMANUEL ALTHAM.

I pray tell Mrs Bridges I will save her husbands things for hir, soe much as wee saved, it being almost al lost.

[1] Query, Bass? Edward Bass was of the Company.

[2] Thomas Brewer, of the Company.

[3] Probably William Collier, who afterwards came to New Plymouth.

[4] Matthew Thornhill (?), also of the Company.

[5] John Pocock, one of the merchant adventurers, and one of the first set of assistants of the Massachusetts Company.

[6] Cushman.

[7] The fishing ventures of the Company were never profitable, and involved it in heavy losses.

The hast of this messenger makes me forget divers things which I should have wrote to you of but I hope al things will be for the best seinge it can be noe better for be not discoraged at this bad news, but hope the next yere for better, which I doe promise, if you hold on the course begunn.

Vale.

[Address]
To the Wo and my most respected Loving kind frend Mr Jeames Sherle tresurer for new plimoth adventurers dewllinge on London bridg (at the Golden horsshow) New England the 28th of May? 1624.
Pray send these three letters to Mr nathaniell at the 3 Cocks in Chepeside.

Mr. Wendell, in presenting to the Society for its collections, some manuscripts bearing upon the relations subsisting between Massachusetts and New Hampshire, 1732–1749, stated that he had found them in the house of his grandfather, the late Jacob Wendell, of Portsmouth, New Hampshire, among a large and unassorted mass of old papers, most of which had apparently belonged to John Rindge, of Portsmouth (1695–1740), an ancestor of Mrs. Jacob Wendell, and maternal grandfather of John Wentworth, last royal governor of New Hampshire. The Society has printed among its *Collections* two volumes of letters and papers of Jonathan Belcher, taken from his letter books in its possession. The letter books for the period April, 1735, to August, 1739, are not in the possession of the Society, and what is now printed fills a gap in the records of Belcher's administration of the Province, and are valuable because they give evidence on both sides of the controversies in which he was so deeply involved.

Mandamus

By Her Majesty the Queen
Guardian of the Kingdom &c.

Caroline R C R
We Being well Informed of the Loyalty Integrity and Ability of Joshua Peirce, Esqr. do hereby In His Majestys Name Direct and Require you forth with upon the Receipt hereof to Swear and Admit him the s'd Joshua Peirce to be a Member of his Majestys Councill of that his Majestys Province of New Hampshire In one of the four Vacancys Occasioned by the death of John Wentworth, Mark Hunkins, Archibald Macphedris and Sam'll Penhallow Esqrs. And for so doing this shal be your Warrant And so we bid you farewell.

Given at the Court at Kensington the fifth day of September 1732 In the Sixth year of his Majestys Reign.

By her Majestys Command

HOLIS NEWCASTLE

Joshua Peirce Esqr. to be of the Council of New Hampshire.[1]

ATKINSON TO THOMLINSON.

PORTSM'T: N. ENGLAND March the 4: 1736/7

SIR, — You have on the other Side the Comm'tts acknolidgement of the Recipt of your favours of the 14 Aug't and 12 Novem'r.[2]

And now Come to give the Reason that you have not had so frequent advisses from us as a Comm'tt appointed by the assembley To Transmit the proceedings there of to you.

You'll observe that there was a number of our most Considerable men as they Call themselves and are so Esteemed by the People in Gen'll that Subscribed towards Carrying on the affair of the Lines and promissed me that the money should meet me in London and to this time have Rec'd no more then £25 note on you from Mr. Atkinson and £21 10 this Currency from Coll'n Wiggen out £260 Sterling Subscribed in the whole

And at our Last Sessions as you may have observed by the Votes which Mr. Atkinson Tells me he sent you that there was a Committee appointed to address his Majesty to Remonstreat some of our greviances which address Was drawn up and Reedey to send and not one of our Great men tho we ware Intierly debard the drawing out any publick money of the Treasurey would Then advance one penney but as before threw the whole affair on me, at which I was somewhat uneasy and did not send it for this Reason I thought and am still of the same oppinion that they ware not only dishonerable but verry unjust bouth to you and me. however I am still hearty and stanch in The affair and all tho it is I sopose sweled to a much Greater Sum then we Ever Expected it would yet am Content to pay you the amount of the Charge which I hope will Come In the first Spring Ship and I hope we still have Intrest Enough to get a good assembley which is to meet his Excelency on the 8 Ins't and our Election is the 7th the success of which shall be able to send you By Capt Peircen on whom Coull'n Dunbar Designes if nothing from Lon-

[1] In *New Hampshire Provincial Papers*, IV. 629, will be found a letter from Joshua Peirce to Governor Belcher, and Belcher's reply, concerning this *Mandamus*.

[2] Thomlinson's letter of November 12 is printed in *New Hampshire Provincial Papers*, IV. 852.

don to prevent him Which god grant there may for if he goes from us we must Expect our Intrest Bouth in Church and State to decline and I feare suffer many Insults Whilest under the administration of G B[elcher] Which I pray you'll Endeaver to guard against.

I Confess we have now a good prospect of the speedey Settlement of the Lines Which when done if Mr. B'r Continues our Governor It is in his power with The Councill to Confirm all the Lands to the people in The other province that have made Settlements Even In this province and we make no question of his good Intention to distress this province and as he has a Councill here that would do as he ordereds them he only wants a good assembly and then all things would goe Right. and we find it has generally been with the Council as he Says they have voted and done Every thing in There Power to distress the Province.

And since I have Enggaged in the affair am determined to se it out tho am sorrey to tell you that our most Considerable men and the pretended friends to This affair and the affairs of the province in General are Either verry strait Lased for money or have not so much honor as I Could wish for, want of which Things do not goe here as I would be glad they did.

I hope on the Settlement of the Lines we shall have a Change of times for the better I wish we may be seperated from the other Province and that Coll Dunbar may be appointed our Governor notwithstanding he prehaps may have been Represented a Turbulent person I must Confess I never saw any thing Licke it in him but should be Contented and well pleased to here he was The man if nothing better ofers for him at home.

These papers you sent us Last are verry full and satisfactory to many people of the other Side the question and I hope by some of the Spring Ships We shall have the Commission over.

Belcher's Reply to Wiggin's Petition.

To the King's most Excellt Majesty in Councill

Jonathan Belcher by your Majesty's Grace and Favour Governor of your Majesty's Province of New-Hampshire in New England, to the Petition of Andrew Wiggin and others, who call themselves a Committee of Representatives of said Province.

Humbly craves Leave to Answer:

That with the most profound Duty and Thankfullness he acknoleges your Majestys Indulgence, in giving him an oppertunity of replying to the said Petition Exhibitted against him in way of Complaint by the said Andrew and others, which said Complaint the

Respondent humbly apprehends amounts mostly to an Invective, vented in General Terms by a few discontented persons, with Design of getting the Respondent Superseeded in his Government.

In the first place, I crave leave to observe the Impropriety and Injustice of their blending your Majestys Governor and the Council together, my share of the Administration of the Government being entirely distinct from theirs, For it is well known that I have nothing to do with any Orders, Acts or Laws, till they are agreed to by the Councill and Representatives; and I challenge the Complainants to give a single Instance of my not assenting to any Order, Act or Law, past by both Houses, since my taking the Government upon me, altho it is my Duty so to do whenever I shall think any of them unreasonable and not for your Majesty's Service or for the good of your People. If the House of Representatives are at any time aggrieved by the Council they know where to repair for Redress, nor can it be expected that I am to answer for any Defects or Misconduct of the Councill. *But* I think myselfe happy that I may now answer before your Majesty touching the things whereof I am accused. Acts 26. 2.

2. The Respondent observes that, instead of particular Allegations and Proofs Exhibitted against him, a Number of reproachfull Epithets are collected, to Stain and blemish his Character, Such as — *Distressed, Deplorable, Groaning, Unhappy Province,* occasioned by an *Arbitrary, Partial, unreasonable* and notoriously *Detrimental* Administration, producing *Melancholly Prospects and impending Ruin.* These things would indeed be matter of just Complaint, were they within the Bounds of Truth.

3. The Respondent observes that he is charged in his Male Administration with being Abbetted by a major part of the Councill, and those said to be persons promoted to that Honour upon his Recomendation, which is a great Mistake. The four Senior Counsellors were Members of the Councill long before the Respondent's coming to the Government viz. Shadrack Walton, George Jaffrey, Henry Sherburne and Jotham Odiorne Esqre.

Joshua Pearce Benning Wentworth and Theodore Atkinson, it is well known were not of his Recomending so there can be but five, in twelve, recomended by the Respondent and one of them Benja. Gambling Esqr. for 4 or 5 years past has been almost wholy Confined to his House (by Sickness), and was not out of his Door at either of the last Sessions, and is since dead. But were the Councill every one promoted to that Honour by the Respondent['s] Recomendation, that could be no Reason of Complaint, it being the Respondent's Duty, in obedience to your Majesty's Royal Orders, I say, 6th and 8th Instructions, to Recomend Suitable Persons for the

Councill, as there may be occasion. And it can be no Reproach on any Account, for the Councill to nonconcurr the Proceedings of the Representatives, they being appointed by your Majesty as a guard on your majestys Honour and Authority in the Government.

The Complainants say *This* (meaning Arbitrary Administration, if they mean anything) is evident from the nonconcurring for five years past the most wholesome Laws the Representatives could advise. But how the Councill's nonconcurring what the Representatives passed (if it were true) can prove the Arbitrary Administration of a Governor is beyond the Respondent's Understanding, and a new method of inveighing against the Governor, which none but his adversarys cou'd have been Guilty of.

Altho' it is not my Business to answer for any part the Councill are pleased to act in the administration, yet, I can't help taking Notice of so flagrant a Falsehood as their saying, This is Evident from the nonconcurring for five years past etc. Whereas, at the Session of the Assembly held in March and April 1737, there was more Business done than at any one Session in the Province before; there being no less than ten Acts or Laws past, and not a single Bill sent to the Board, and nonconcurred or not Consented to by the Governor.

4. As to the frequent Dissolutions and Opprobrious Speeches, the Respondent has a Right by his Commission to dissolve Assemblies whenever he may judge it necessary for your Majesty's Honour or the good of your People; and he never did dissolve them but from a Sense of his duty on these Heads, and the Respondent is Surprized that the Complainants Should make mention of Opprobrious Speeches, who have so often treated your Majesty's Governor with so great Indecency, and of which their present Complaint is a fresh Instance.

5. As to their Unanimity and former Freedom from intestine Jarrs, the Respondent Replys, that much more severe Messages passed under Governor Shute's Administration, than ever has done since, and the aforesaid Andrew was then one of the Representatives, and the said Governor Shute did, by the Unanimous Advice of the Councill, dissolve the Assembly for their Indecency and Insolence to him.

The Representatives, the said Andrew being one, bid a sort of defiance to Lt. Gov'r Vaughan, voted against his Authority, and denied him the usual pay as Capt. of the Fort, because he refused to render an Account of the King's Powder to them, and his pay remains due to this day.

Lieut't Gov'r Wentworth compounded with the House of Representatives, the said Andrew being one, and purchased his Peace of

them by the Grant of Sundry Townships, in every of which every Assembly man had a share.

And Governor Burnett was forced to Bargain with the Assembly, the said Andrew being one, to give the Lt. Gov'r part of his Salary (the Lt. Gov'r having granted them so much Land) before they would give the Governor any Salary at all.

To all these things may be added the frequent Tumults during Governor Cranfield's Administration, and again, the driving Lt. Gov'r Usher out of the Province with an armed Force.

It is with Reluctance the Respondent mentions these Things. Neither would he have done it but to evince the matchless Audacity of the Complainants; who humbly hopes that these hints, which he is obliged to give in his own Defence, will not be imputed to the Body of the People as persons hurtfull to Kings and Provinces, or Movers of Sedition, for they are not so, but really a well-minded, Honest and Loyal Populace, tho' the weaker of them, such as some of the Complainants, have been at times deluded, misguided and led astray by a small discontented Clan, who thirsting after offices and Honours have changed Reason for Malice, and have abandoned good manners and Truth.

6. The Vote of the Respondents Administration being a Grievance I think has little in it, when it is Considered that the House of Representatives, consisting only of 19 Members, ten whereof make a Quorum, and six a major Vote, it was easy for the Discontented to watch a juncture for obtaining such a Vote. Besides this may be no Fault or Dishonour to a Governor, since it is so common in the Plantations for the Houses of Representatives to be too bearing upon a Governor, who according to his duty has a tender Regard to your Majesty's Honour and Int[er]est.

7. The Complainants say that the Respondent (with a major Part of the Council,) had taken the most effectual Steps to render your Majesty's Gracious Intentions with Respect to the Boundarys ineffectual, a Gross Charge indeed, and, if true, might justly bring the Respondent under your Majesty's Royal Displeasure. But it is as great an Untruth as they could Suggest, and the Evidence is as absurd as the Charge is false. For they say that Article is apparent from the following Considerations, namely, that they should trespass upon your Majestys Patience if they should enumerate their Greivances, and how the Massachusets had usurped Dominion over them, and exercised oppression; and these Considerations are offered for Proof that the Governor and Councill of New Hampshire had endeavoured to hinder the Settlement of the Line. This is of a Peice with their way of Reasoning, where they say the Governor's Administration was Arbitrary, because the Councill did not concurr with the Acts of the Representatives.

8. They say they were proroged to 6th July before any necessary steps could be taken in obedience to your Majesty's Commission, which is another Gross Misrepresentation. *For it was on the first Day of April that they were proroged to the 6th of July*, and they had then sat from the 8th of March. A longer Session of the general Court has hardly been known in the Province, and at which more business was done than perhaps at any one Session at any time. And as before mentioned ten Acts past, and they had a long and full Oppertunity of taking what Steps they thought proper respecting the Line. But to answer more directly their saying "Before any necessary Step could be taken in Obedience to your majesty's Commission, they were proroged to the 6th of July" The Commission which they say they had not oppertunity to obey, bears date the 9th of said April, 8 days after the prorogation to the said 6th of July was made, and it was impossible to take Steps, in obedience to a Commission before it had a being. And the next prorogation was made to 4th August by Proclamation on the 20th June, before ever the Respondent knew a Commission had passed the Seal for Settling the Boundarys, and when the said Commission was passed it was sent to Mr. John Rindge (one of the Complainants) and by him Contemptuously Secretted from the Respondent, who has never seen it to this day. And the Copy of it, which was at last sent to the Respondent by the said Rindge, was delivered him after issuing the Proclamation for proroging the Court from 6th July to 4th August. *And as to the next prorogation from 4th to 10th of August the Respondent could apprehend no manner* of Inconvenience, supposing it impracticable, as things stood, to enter upon Business sooner than that time. They go on and say that I designed to embarrass and perplex their affairs by recommending the Choice of two publick officers; when I knew at the same time their Committee had appointed those officers. In answer to which your Respondent says the said Committee had not the least Coulour of Authority to appoint such officers, your Majesty having directed in your Royal Commission to your Commissioners that two such officers should be appointed by the whole general Assembly, and in obedience to your Majestys said Commission I was obliged to Recommend to the Assembly the appointing of them, that there might be no Failure or Defect in the Proceedings on the part of your Majesty's Commissioners; And this I did, instead of having the least Inclination to Obstruct this Matter, that no time might be lost to bring it to an Issue.

9. They say immediately after the Commissioners had made up their Judgement and before they could get a Copy the generall Court was proroged to the day before the Commissioners had adjourned their Court, which, they say, stript them of the Benefit

intended by the six weeks Adjournment; your Respondent answers that the House of Representatives *sent* a Vote to the Councill for appealing to your Majesty from the Judgment of the Commissioners, which the Councill nonconcurred, and *voted* it was not for the Interest of the Province, either to appeal, or defend, but that it was best humbly to submitt the Matter as the Case then stood to your Majesty's wise Determination; and the Councill also voted against the Provinces being burdened with any further Expence of mony in the affair, and the Committee who did appeal had the same power of Appealing in the Recess of the Court, as during their Sitting, and for these Reasons I judged it would be to no purpose to keep the Assembly still sitting.

Lastly the Mention of the Grant to a Township as a Greivance seems to be verry Extraordinary Considering what former Governours have done of that kind, and what large Shares of new Townships, heretofore granted, have been or are now enjoyed by almost every Member in the present Assembly. And in as much as your Majesty by your Royal Commission has intrusted the Power of Grants of Land to your Governor and Councill, unless they could say with any Coulour of Reason this Grant was to unsuitable Persons, and not for your Majesty's Interest and that for your People, I know not how they could make it Matter of Complaint.

May it please your Majesty,

Your Respondent has with all Humility thus made answer in the most particular manner he could to this Complaint. And altho' I have at all times done every thing in my power for the Service and Ease of the People of new-Hampshire, yet a great part of the Salary they settled on me of *600l.* a year their Currency (being but *120l.* Sterling) they unjustly and unreasonable kept from me, by not making any supply of money to the Treasury for five years together; and for which Space all the Debts of the Province remained unpaid, for no other reason that I could see but to keep the Governor out of his Salary as by law established.

In Obedience to your Majesty's Royal Orders to me I have Constantly transmitted to one of your principal Secretary's of State, and to your Lords Commissioners for Trade and Plantations, Authentick Copys of all things transacted in that Government; which being Inspected, and maturely Considered, I hope will fully Vindicate your Respondent from the unjust Insinuations of the Committee of the present House of Representatives; and he doubts not but that his Conduct in your Majesty's Service within your Province of New Hampshire will bear the Strictest Scrutiny, and if he shall thereupon have the Honour still to stand in your Majesty's Royal Grace and Favour, and that this Petition will be dismissed with

Marks of your Majesty's just Displeasure, because I am fully Satisfied your Majesty will not give Countenance to a House of Representatives to invade your just Rights and Prerogatives, or to Insult your Majesty in the Person of your Governor who is, with the most profound Duty and Loyalty, your Majesty's most Obedient Subject and Servant

JONATHAN BELCHER.

BOSTON, June 9th, 1738.

ATKINSON TO JOHN POTTER AND EZEKIEL WARNER.[1]

BOSTON, Aug. 11th, 1738.

GENTLEMEN, — I now acknowledge the rec't of yours of the 27th of July Last and observe the Contents. We acknowledge you have Each a great Deal of room for complaint which would unquestionable have been removed had we had an oppertunity of Laying the matter before the Generall Court which since you Left us hath not been permitted to meet. We have often Lamented the want of a Bill of Cost being Taxed by your Court both for your Sakes and our own; then should we have had money (after paying Each of you very Honorabley) to recieve from the Massachu'ts, which was plainly within the Power of your Comission. The Gen'l Court now stands prorogued to some time in September next when we hope there will be a Session and as there now Lays a Complaint before his Majesty In Council against the Governor and a Majority of the Council from the House of representatives here for obstructing the affairs of the boundary Lines, perticularly in not Concurring the Severall Votes for Defraying your Expence etc, we say, we hope the Governor and Council will not Deny your payment at Least, and should the Comittee Pay the allowence made you for your time, tho' small enough, it would be an Objection made in the Court against the allowence which we have some of us Experienced in this affair allready, haveing heitherto advanced great Parte of the Expence besides the whole of what accrued in England. Wee hope, Gentlemen, as you are well knowing in our Circumstances, we need make no appollogy but be assured we shall never sit easy till you are Honble satisfyed.

We are Gentlemen with utmost
respects your obedt humble servants.

[1] Potter and Warner were of the eldest councillors in Rhode Island, and for that reason selected by the Committee of Council for Plantation Affairs to serve on this boundary commission. *New Hampshire State Papers*, XIX. 262.

ATKINSON TO THOMLINSON.

[1738?]

SR — You having rec'd a Letter signed by our selves and many other members of his Majestys Council and those that had been representatives for most of the Towns in this his Majestys Province in all the Assemblys since Gov'r Belchers administration which by a mistake was Dated we understand the 15th of March, when at the same Time that Letter was signed In June Last. In that Letter we mentioned many things to you we then tho't would be for his Majestys Honor and for the Saftey, and Wellfair of this his Province, to all which we beg you would now again be refferred. Since which we have been without an Assembly till the 23d of Octo. Last when a new House was Call'd by the Gov'rs Precept but his Excelency not comeing in to the Province the House were admitted to take the Oaths only and then without so much as the Choise of a Speaker or Clerk were Prorogued to the 3d. Ins't and now again by his Proclamation further Prorogued to the 23d. Ins't We should have wrote you before now, but have been in hopes of Doing it in a more authentick manner by a Vote of the House of representatives which nothing but this Long Vacation of near a year and the Prorogations since hath Defeated the Province of; but be assured the Province in Gen'l Continue in the same minde as they have all along been we are Informed by your Letters that sundry Petitions have been Preferrd to his Majesty, but as those Petitions were obtained here in a very Clandestine manner and the Contents in most Towns could never be obtained we hope they will have Little weight with his Majesty Those Towns that could by any means Procure a Copy haveing in Gen'll Town meeting Protested against the said Petitions and that alsoe gave rise to our Letters to you above referrd to. You are too sensable of the Difficulties the Province Labours under Especially in this Present asspect of War. We therefore must once more Intreat you would use your utmost Endeavours to Get the affairs of this Province under your agency and negotiations finished. we assure you, Sir, that nothing gives the People in Generall more Satisfaction then to finde by your Letters You have still hopes of freeing us from the Massachusett Bondage, and Do assure you that tho' a few Inconsiderate Stragling People may have petitioned his Majesty to Do some things that if Granted would Certainly bee Prejudiciall to his Governmt if the said Petition contains what we have been Informed it Doth, yet those Petitioners must be so Inconsiderable in their Numbers and most of them in their Circumstances to the Province in Gen'll, the secret manner of its being obtaind, and the Assemblys not sitting to have a Vote thereon Leaves us Little

room to fear any Disadvantagious Consequence therefrom the Assemblys for many years haveing allways when an opportunity offred Acted in Gen'll Court Quite Contrary to what we apprehend those Petitions Contain. However we assure you tis the Hearty Desire of the Generallity of the Province that that should be a separate Government from the Massachusetts, that our Lines should be assertained and fixed, and that if his Majesty could be prevaild upon to Grant us the Liberty of Makeing a Paper Currency to put us upon a footing with his other Governments.

Thomlinson to Jaffrey and others.

A Coppy per Pattison

London, 20 Aug't, 1739.

George Jaffrey
Theodore Atkinson
John Rindge . . .
Thomas Packer
} Esqrs

Gentlemen, — I am now to Acknowledge your favour of the 7th June with your minuetts of council, and since I wrote Mr. Rindge on the 11th Inst. have attempted to bring on your affairs; But the night when we should have Moued for a day, to hear your Complaint against G. B.,[1] their was not Lords to Make a Committee, or can we hope now to have any more committees before the latter end of October Next; had your papers comed to hand but one Month sooner, all your affairs had now been over, and I believe to your great satisfaction and I think to the Gennerall Satisfaction of the Province, but however we cannot be now delayd longer then that time upon Any Account Whatsoever.

The Report of a Warr with Spain and Very likely with France too, obliged Mr. Gulston[2] and my self, and others, to wait upon his Grace the Duke of New Castle with the Inclosed Memoriall, which was laid before his Majesty, and Refferrd to a Committee of council, and by them Refferred to My Lords Commissioners for Trade and plantations, and after they had made Enquiry and Considred the affair, they Reported upon it as favourable as possible, and amongst other things sett forth that it would be for the Service of his Majesty, and the Interest of the Province to make it a Seperate Government but on last Wednesday evening when their Lordships Said Report should have been considred by a Committee of Council, there was

[1] Governor Belcher.

[2] Joseph Gulston, merchant, and contractor for supplying masts to the royal navy.

not a Committee, which if their had been, we had great hopes we should have obtained every thing Necessary, for the Safty, and Defence of the Province, and allso such a Governor as would not only have been most agreable to you, but allso to every Gentlemen in the Province (tho not an Irish man) but such a Man, as even those in the opposition would have been pleased with, and we hoped allso with some Sterling Sallery, But that affair Must allso lye dormant untill the first Committee in October Next, and Gov'r Belcher agents here have delivered the three Petitions you Mention in your letter, in order to obstruct this Seperation, as well as the other advantages we hoped for; but I beleive they will faile of their design, for I apprehend, all that will be done upon those pettitions, is, they will be Refferd to the Lords Commissioners for Trade and Plantations, when we shall not only have an opportunity to shew their Lordships, by what Means they were obtained, and for what purpose, but allso of opposeing them with the Exeter Petition against the Surveyor of the woods, and allso with Mr. Acmouchys [1] affidavett, and the Consequence will only be giving their Lordships an Occation more strongly to set forth the Necessity of seperating the Governments, and putting your Province in a better State of Defence, and it is the opinion of the learned here, that upon the hearing of your complaint against G. B. that we shall be able to prove such partiallity disobeidance and Corruption upon him, in so much, as to affect him in the greatest degree.

Now therefore if he should have been in your Province and held an Assembly, as I cannot fear that you have been prevaild upon by any of his Stratigems to do anything inconsistant with the Interest of the Province, or your affairs depending here, so I hope you will send me Every thing that you have done that May further those affairs here, and If you should have done nothing in a Publick Capasity, it might not be improper for you to write Me a letter in the same manner of that you have sent me of the 15th March 1738, and as well signed or better if possible, setting forth as in the afore said letter who the Subscribers are, and what a Naked and Defenceless, and Ruinous condition the Province is at present in, and the great disadvantage you have all along Laboured under by being under the same Gov'r with the Charter Government of the Massachusetts Bay, and that you must still Continue under all these Difficultys, so long as you are under this Sittuation, and that as soon as G B found he Must be obliged (by the severall orders of Council) to Authenticate your papers to prove your Severall Matters of Complaint against him, how and by what Means he went about to obtain those peti-

[1] Robert Auchmuty.

tions, and allso, what sort of people the Signers Gennerly are, and what number they are in proportion to the Whole, and all other unjust Methods, he hath taken to destress the Province, and your affairs depending here, and dont interduce any other Matter into said letter, and If you go about this affair Directly, and send it by the Very first Vessile that sails from your place, or Boston to Any part of England, it will undoubtedly be with me before your affairs are over, and May be of Singulour Service; and I would have it done by all means, and If you can send any proper affidavits to prove what methods he tooke, and any unjust Means used to get those petitions signed, or any of the other facts you shall advance in the said letter, they will all be good Evedence before My Lords Commissioners for Trade and plantations, I hope you will doe Every thing of this Nature you Can conceive May be usefull, If as I said before your papers had been one Month sooner you would have been spared this Trouble, but however it is now the last you Can have for this fall must determine your affairs absolutely, and I hope so Early as you May know of it by Xmas, I shall not fail doeing every thing on My part, and I hope you will allso do as you are here directed, for we cannot be too Strong or too Secure and this May be done without cost, or much trouble, or Noyse, for surely the More private the better, I have not to add, only that I am with the greatest Esteem Gentlemen Your most obed't hum'le ser't

JOHN THOMLINSON.

FROM THE COMMITTEE OF TRADE AND PLANTATIONS.

To the Right Honourable the Lords of the Committee of His Majestys Most Honourable Privy Council.

MY LORDS, — Pursuant to your Lordships Order of the 29th of August last, We have reconsidered Our Report to Your Lordships dated the 10th of the said Month, Setting forth that it would be for His Majestys Service and the Good of the Colony of New Hampshire that it should have a distinct Governor

We have also considered the Memorial of Richard Partridge in behalf of great Numbers of His Majestys Protestant Subjects of New Hampshire, and several Addresses thereto annexed, from the Freeholders and Inhabitants of the said Province, desiring to be continued under their present Governor, and also to be annexed to the Government of the Massachusets Bay, and praying, in regard to their Poverty, that they may not be put to the Charge of Maintaining a Person to be Governor of that Province only. Whereupon we take Leave, to acquaint Your Lordships.

That We have been attended on this Occasion by Mr. Partridge Agent for the present Governor, and by Mr. Hollings his Counsel, and also by Mr. Gulston, Mr. Wentworth, Mr. Thomlinson and others, in Support of their Memorial.

We have likewise Examined several Witnesses, concerning the Condition of the Province, Several Speeches also of the Governor to the Council, and Assembly of New Hampshire were produced and read, wherein he, at different times, recommends the Defence of that Province to their Consideration.

It appears also that this Province has been in a Naked and Defenceless Condition for a long Course of Years, preceeding Mr. Belchers Administration, which is so far from being contested by the Petitioners for a Distinct Governor that it is admitted to have been one of the Motives that formerly induced the Inhabitants of New Hampshire to pray that they might be annexed to the Government of the Massachusets Bay. Nor indeed did We ever apprehend that the Memorial, upon which Our said Report was founded, did in any Sort lay an Imputation on the present Governor, either on this or any other Account, but recited the Facts only which were considered by Us merely as Matters of State.

It was urged in behalf of Mr. Gulston, Mr. Thomlinson, and the rest of the Petitioners that New Hampshire being a Frontier Province to the Indians, and the French Settlements, might, in its Infancy, when it had but few Inhabitants, stand in need of the Protection of the Massachusets Bay, and on that Account might have prayed to be annexed to the Massachusets, but that the Case is now Altered, New Hampshire being better Inhabited and Planted, and in Condition, with proper Helps, to Support and Defend itself. That it has been found by long Experience, that a Governor of the Massachusets Bay will always have a Natural Partiality to that Government, in preference to the Interest of New Hampshire, That as to the Addresses annexed to the Memorial of Mr. Partridge, very few of the Subscribers were Persons of any Note or Substance, nor were the same Dated, or Signed at any Publick Meetings usually resorted to for the like Purposes. Several Persons were Examined to the Truth of this Allegation, and in particular Mr. Waldo and Mr. Wentworth, who declared that they did not know above ten or Twenty that were of any Rank or Figure amongst the said Petitioners.

Upon the whole We are humbly of Opinion, that it can never be for his Majestys Service to Annex this Province of New Hampshire as an Increase of Territory to the Massachusets Bay, as is desired by the Petitioners, since, by daily Experience, We see that neither His Majestys Royal Orders, nor the Laws of Trade and

Navigation, do meet with a cheerfull Compliance in any of the Charter Governments, nor indeed do We see any Reason for altering Our Opinion, from any thing that has Appeared to Us on this Hearing with respect to the Appointment of a Seperate Governor for the Province of New Hampshire. His Majesty has lately been pleased to Seperate the Jerseys from New York, and We apprehend the Reason will be Stronger here; for as much as the People of the Massachusets Bay, have shewn evident Marks of Oppression, by the unreasonable Delays they have made in the Settlement of their Boundarys, and the Weight of the larger Government will always be felt by the lesser annexed to it under the same Governor.

If the Inhabitants of New Hampshire were under a distinct Governor it is probable that they might with more Cheerfulness exert themselves in the Case of their Fortifications, and in providing for the Defence of their Country, but if his Majesty should Graciously incline to Grant their Request, since contradictory Evidence has appeared upon this Occasion, We conceive it might be proper to take once more the Sense of their Assembly, upon this Subject, and also to know what Provision they are willing to make for a seperate Governor. We are

My Lords

Copy Your Lordships Most Obedient and Most humble Servants

R. Plumer
M. Bladen
Ja. Brudenell
Ar. Croft.[1]

Whitehall Octr 17, 1739

Petition to the King.

To the Kings most Excellent Majesty.

The humble Address of your majestys Loyal Subjects Subscribers hereof Freeholders and Inhabitants within your majestys Province of Newhampshire in New England, most humbly sheweth,

That there has been a Common report thro'-out this Province for

[1] The navy agent in New Hampshire, Gulston by name, sent a memorial to his superior officials, complaining of the defenceless state of the province, in the face of a possible war. This, with a letter complaining of Governor Belcher, was sent to the Lords of Council, who, in turn, referred the papers to the Board of Trade, which presented the report now printed. The Privy Council refused to accept this report, in order that the Governor might have an opportunity to answer the criticisms made upon his conduct. The matter was finally determined against the wishes of those who had asked to be annexed to Massachusetts. Belknap, *History of New Hampshire*, I. 255.

Several years past that the Province line would soon be settled and that one Mr. Thomlinson of London would get it done but many fear'd it was only a Pretence (being a Popular matter) to Cover another Design of Some Discontented Persons, to get a New Governor; and it Seems what the more discerning People Apprehended is now Come to pass for we are informed that the said Mr. Thomlinson has Petitioned your majesty that this Province may not be any longer under the Government of the same person that is Governor of the Massachusetts Bay, than which hardly anything can be more Injurious and Distructive to this Province (if it should take Effect) for the Province is very small and very Poor, and we suppose the smallest and Porest in your majestys dominions that Supports a Government and is Wholly unable to maintain a separate Governor whose dependance will be wholly on said Province for a Subsistance and moreover this Province is so scituated that in Case of a war it will be Exceedingly Exposed to the Incursions of the French and Indians (as in times past) being frontier both by Sea and Land, and without the Assistance and Protection of the Massachusets in Case of an Invasion must in all Human Probability be Inevitably lost with as many of the lives of your majestys subjects as Cannot fly into the Neighbouring Government for Reffuge.

We therefore Crave your Majestys permission to lay our selves at your feet, and Earnestly deprecate this Unreasonable and Unjust Attempt of Mr. Thomlinson who under the Pretence of being our friend is in this thing working our Ruin, and humbly to Beseech your Majesty that Instead thereof if it may Consist with your Majestys Royal wisdom and goodness We may be joined to the Massachusets Bay as a part of that Province but if that be too great a favour for us We humbly Implore your Majesty that (at Least) we may remain under the Just and Acceptable Administration of our present Governor and be always Continued under the Government of the same Person who shall from time to time be Appointed the Governor of that Province.

And your Petitioners as in duty Bound Shall Ever pray etc.

[Endorsed] Copy of the Petition going about for Signers for N. Hampshire to be annexed to the Mass. 1739.

Thomlinson to Atkinson.[1]

London, the 14th of July, 1742.

Sir, — I have not yet had any of your Favours, Therefore I don't know what to say to you, or have I heard any thing from any of

[1] From the *Belknap Papers* in this Society, I. 32.

my Friends of your Province since the Governor's Arrival, except a short Letter or two from the Governor, and Letters on my Business from Mark Wentworth, and I should be very glad to hear that you goe on right. I Congratulate you on your promotion, and I hope you will Inherit some of the Vertues of your predecessor as well as his post; particularly his attention to, and assiduity in Business. I hear that you and Mr. Brown and Mr. Sherborn are becomed followers of Mr. Whitfield. This news had no other effect on me then to make me Laugh. I assure you that it did not surprise me when I first heard it in the New England Coffee house, or has it since given me much concern, as I know and believe their are Numbers besides yourselves that are desirous to get to Heaven by Charms Incantation, or in a Sling. Pray Sir have you heard of a Comet that appear'd here some months since, and made a great stir amongst some people. I assure you there is now no more talk about it then about Whitfield. I leave it to you to run the Comparition to what Length you please, and draw what Conclusions you please. Your two Friends may help you out at a dead lift, especially the latter, as he has been a help mate to many a Man.

You will by this time be likely to fall into another Error, in thinking that I have much time upon my hands, when I can truly assure you that I have only time to add that I am most truely, Sir, Your most obedient Humble Servant

JOHN THOMLINSON.

ROBERT CRUTTENDEN TO ——.[1]

DEAR SIR, — I am a good deal at a loss wether to Consider my Self in the present Letter, as discharging a debt which I confess I owe you for a very obliging One I received soon after your returne to N. England; or only as Secretary to my very dear Friend and yours, Mr. Whitefield. If you take it in the first Light I ought to make an Apology for not having wrote before, if in the latter that I write now; because I am very sensible nothing from me can make up for the Pleasure a Letter under his own Hand would have given you and his Friends in America.

You will however receive one Advantage from my new Office, in which he has at the same time shewn his own Judgement and consulted your Interest. I mean his choice of a Person who has little else to do, by which means you will receive the News of his Health, and continued Success here much sooner by my Hands than the Multi-

[1] Found among the papers of Daniel Rindge, but it bears too early a date to have been addressed to him.

plicity of his Affairs would have permitted you to have done by his own. And I please my self you will rejoyce to hear that the work of the Lord is still prospering in his Hands, whatever way you come by the Notice of it.

I suppose it was with this view he proposed this Employment for me, and I am too fondly his Friend to refuse any Opportunity of serving him, tho' at the Expence of my own Reputation, which I can easily give up for a less valuable motive than the hope of Assisting him in his more Important Labours, by taking this part of his work upon my self.

As he informs me he has not had an opportunity of writing very perticularly since his Arrival here: I find I must begin my Account much earlier than I designed, or would otherwise have been necessary: that by a veiw of the State of things during his Absence, with which I was unhappily but too well acquainted, you may form the better Judgement of the Difficulties he had to Struggle with at his first coming to the Tabernacle, and the Necessity of the Steps he has been obliged to take since he has been amongst Us.

The Divisions Mr. Whitefield foresaw before he left us, and which were only restrained by his Presence, soon broke out after his Departure both here and in the several Societies in the Country. I have no designe to Trace these, either to the Persons or Principles which laid the Unhappy Foundation of these Confusions, for though I sincerely abhor the last, yet I must still retain a Love and Pity for some of the first; and would therefore willingly throw a Veil over what I can neither Justify, or even Excuse. It is certain that as new Doctrines now began to be preached so Steps very Irregular were taken for their Support and Propagation, which was carryed on with a Zeal greatly too hot to des[erve] the Name of Christian. The true Source of all these Confusions Mr. Whitefield easily foresaw, but had it not in his power to prevent. Among the several Persons he had Encouraged to assist him in carrying on his work, he wanted One of sufficient weight and Authority to be intrusted with the Direction of it in his Absence; but one so qualified was not to be found. Mr. Cenic[1] was beyond question the most popular Man among them, and perhaps it was his Misfortune that he was so: he had been Instrumental in doing a great deal of good, and many will I doubt not have cause for Thankfulness that they ever heard him; but he was Young, without Education, had little Experience to govern a natural warmth of Temper which required a great deal. To him Mr. White-

[1] John Cennick, who had deserted Wesley for Whitefield. "In the spring of 1740, Wesley opened it [his school in Kingswood, Bristol], and appointed John Cennick to be its master. Soon after his appointment, Cennick turned Calvinist." — Tyerman, *Life of the Rev. George Whitefield*, I. 467.

field left the cheif Direction of his Affairs during his Absence, tho' I have reason to believe the Choice was really more the Effect of Necessity than Approbation. It is not my Designe to draw perticular Characters: in general they were Persons of no Learning which they endeavour'd to make up by a great deal of Zeal unattended with Knowledge, which began now to be cryed down as a very Unnecessary and indeed Dangerous Qualification in a Preacher. *Hinc illae Lacrimae.* To support the Different contending Parties who now sett up for themselves, and I think with equal Pretences, for none of them had Sense enough to be Confuted, or Modesty enough to suppose it possible they could be in the wrong; New Preachers were introduced and Countenanced, still weaker than themselves. without any Qualification but an Implicit Zeal to spread the Doctrines they were directed to propagate (as far at least as they were capable of Understanding them) in their Divisions in the Country. Hence it necessarily happened that Principles bad enough in themselves, were still made worse by the Ignorance of those who had the care of spreading them, but in a little time thought themselves qualified to make Additions and improvements of their own. Like a Man who setts out wrong at first, every fresh step only serves to bewilder him the more, and the faster he runs, the farther he gets out of his Knowledge.

By these means, as all or most of them were introduced and took their turns at the Tabernacle [1] in the compass of a few months, the Hearers like the Babel Builders were confounded with new Schemes of Doctrine, all asserted with equal Confidence, and maintained with equal pretences to the Teachings of the Spirit on whom they made no scruple to father all the wild Conceits of their own heated Brains, so that in a little time the most implicit Understanding was at a loss what to beleive. Scarce an Error since the Reformation (and for some of them we must go a great deal higher to Trace their Originals) but found a Preacher and a Patron. Antinomianism in all its Branches became the favourite Subject at one season; and then nothing was heard but Actual Justification from all Eternity; no Sin in Gods People and therefore no Confession or Repentance for it; a full Liberty from the moral Law, not only as a Covenant of works but a rule of Duty, and a regard to it represented as a legal Spirit and gendering to Bondage. The Beleivers Holiness like his Justification was now only to be looked for from without him, and like that equaly instantaneous and perfect.

In a few weeks, Sabellianism, tho' improperly so called, took its turn, and by the Preacher the Hearers were taught to Deny the Per-

[1] A large temporary shed erected for Whitefield in London, a little to the north of Wesley's Foundry. It was opened in April, 1741.

sonality of the Father and the Spirit who were both swallowed up in the Deity of the Son, and in Spite of all the positive Directions to the contrary; no Prayers were for the future to be addressed to either of them by us, nor any Satisfaction given by the Son. To reconcile all these Jarring and self Contradictory principles Letters were publickly read in their Societies, and afterwards printed, to exhort the Hearers to receive whatever should be delivered without Examination, which was represented as greiving the Spirit of God by whose immediate Inspiration they all spake. I write in pain whilst I open such Scenes of Confusion, and willingly suppress the very mention of all the strange Conceits which took their turns to rise and fall with the Popularity, or rather the Confidence of the Importer. There still remained two or three who retained the first principles on which Mr. Whitefield sett out at first, but far from being able to put a stop to the Torrent, all they could do was to prevent there own being carried with the Stream, which every day met with less Opposition by the withdrawing of the best and soberest part of the Auditory. The Dissenting Ministers, many of whom had at first favoured Mr. Whitefield, now took the Alarm. They saw their respective Flocks in danger of falling from the Faith once delivered to the Saints, and exerted their Influence to restrain them from a farther Attendance at the Tabernacle.

About this time Mr. Cenic and one or two more of their Preachers, avowedly embraced the Moravian principles and took a formal Leave of their Hearers carrying with them all they were capable of Influencing to their new Friends. This Defection was soon after followed by another who took this Opportunity of setting up for himself, under pretence of still greater purity of Doctrine and more Gospel Light, tho' without acquainting his Followers how he came by it. I think the numbers who went off with this new Teacher were not very great, yet they helpt still to lessen a declining cause, and thin a Place which had already lost the best part of its Auditory. To all these I am sorry must be added a great number who from promising beginings, like the Stony ground Hearers, gradually lessened in their Zeal for any preaching at all, and so gave up Methodism and Christianity at the same time. I am quite tired of so disagreable a Subject. Let it then suffice that by these Steps Mr. Whitefield at his returne found an empty Congregation, and the few who remained both Preachers and Hearers in the State the Prophet represents the Jewish Church: Ephraim against Judah, and Judah against Ephraim, and both against Manasseh. Destitute of Harmony amongst themselves, and what was still worse, tho' a necessary consequence of the former, destitute of the Spirit of God, whose Presence no longer was visible in a place where once his power had been so

gloriously manifested. The soberest of their Preachers freely owning that they had spent their Strength in vain, whilst the Arm of the Lord was no longer revealed in their Assemblies. This, Sir, was the state of things when Mr. Whitefield arrived here, at once to the Surprise and Joy of his Friends who had almost given over the hopes of seeing him any more. The manner in which he was received, the Numbers who immediately attended him at the Tabernacle, and above all the Power which accompany'd his Preaching soon opened a veiw of Usefulness sufficient to encourage and animate him against the Difficulties which would have frighted a Person of less Resolution. God was with him as in former Years and therefore no wonder that he sett his Face like Flint. It was soon seen that he had lost no part of their Affection, and equaly visible that they were not disappointed in their Hopes and Expectations from him. But as he will read over what I am now writing I am prevented saying many things which Truth would allow and my own Heart dictates. I must therefore content my self with a plain Narrative of matters of Fact without any Reflections of my own.

Mr. Whitefield was soon sensible as well as his Friends, that all Eyes would be attentive to his first Steps: each party pretended to Claim him for their own, and confidently published their Assurance that he would declare for them. There was a necessity that some should be retained from among the Preachers he found here, to assist him here in Town and carry on the Societies in the Country, which tho' greatly diminished in their Numbers it was thought proper still to support. It was equaly fit the rest should be dismissed, whose Turbulent Zeal, and eminent want of Capacity had rendered most Obnoxious to the soberest part of the remaining Auditory. To do this Mr. Whitefield took some time to be informed of their respective Characters, and then made his choice with so much impartiality and Judgement that all parties appeared satisfied. The Persons now left as his Assistants will I hope by the Peaceableness of their Tempers, the goodness of their Hearts, and their daily growth in Knowledge, make up for the Defects with which they sett out and behave so that none may despise their Youth.

The Effects of this happy change were soon visible in the Face of our Assemblies, and the bills daily put up from Persons under Convictions by the word, or such as had received Comfort and Establishment in their holy Faith spoke aloud that God was amongst us of a Truth. Thus matters were happily restored and Peace and Truth once more met in our Religious Assemblies, and give an encourageing hope that God even our own God will again bless us, till all the Ends of the Earth are made to fear him.

In consequence of this happy begining many of the Dissenting

Ministers who had discouraged their Hearers from any farther attendance at the Tabernacle, now received him with open Arms and confirm'd their Love to him. I have frequently had the pleasure of seeing Numbers of them, who have not only met him at my own House, but of attending them to the Tabernacle from which they have always come with great Satisfaction. I waited on him soon after his Arrival to take his last Farewell of my dear, and valueable Friend the Rev'd Dr. Watts, and had the satisfaction of some of his dying Prayers for his farther Success.[1]

You will here pardon me, Sir, one digression, I write it in the fulness of my own Heart, and I am sure you will read it with equal pleasure. I mean that since your Departure Providence has raised up among us a Number of young Ministers who can sincerely rejoyce that Christ is preached, and the Doctrines of his Gospel propagated even by Persons who may differ from them in Forms and Ceremonies, whilst they hold the Head, and contend earnestly for the Faith which was once delivered to the Saints. Some of these acknowledge themselves under the divine Blessing Endebted to Mr. Whitefield for their first serious Impressions many Years ago: and others have a Witness of the success attending his preaching in some of their nearest Relatives, or at least in the Additions made to their respective Churches of numbers whose Conversation and Behaviour becomes the Gospell, and are Ornaments to their holy Profession. No wonder then at the disinterested warmth with which they Espouse his Interest, and the Undissembled Love they discover to his Person. It will be sufficient at present that I dont know above 3 or 4 in the whole Body of Independent Ministers who are not heartily his Friends, and not only encourage their Hearers in their Attendance at the Tabernacle, but go up themselves to that house of the Lord. May the God of Love and Peace strengthen the Union, and confirm what he has wrought for us.

I have a great deal still behind and must therefore goe on. Not long after Mr. Whitefield's arrival, he was sent for by my Lady Huntington, who appointed him[2] her Chaplain and engaged his Service not only in Praying in the Family, but Preaching to an Auditory of the first distinction, who attended Divine Service at her Ladyship's House. These have been daily increasing in their Numbers and are now no longer ashamed to avow and Patronise that Gospell, which I trust has been made the power of God to the awakening of some and the Conversion of others. As these are most of them equaly distinguished by their superiour understandings, as well

[1] Isaac Watts died November 25, 1748.

[2] August, 1748. The appointment was intended to throw some protection round Whitefield against persecution under the laws.

as by Stations, Enthusiasm can have no place in this surprizing change, which quite confounds our modern Freethinkers; and is become the subject of Conversation even in Cesar's household.

When I mention the Names of my Lord Chesterfield, the Earl of Bath, my Lord Bolinbrook,[1] the Marques of Lothian, and of honourable Women not a few you will easily see that the cause in which he is embarked is not like to be given up to a Banter or a Sneer, the strongest Weapons which have been hitherto employ'd against it, and the only ones I beleive it is likely to apprehend. Some of these Ladies have even given their Attendance at the Tabernacle. I own, Sir, from these which I trust are but the beginings of what God is about to doe for us. I indulge my self in the prospect of much greater displays of the Redeemers Glory, when the Scandal of the Cross shall no longer blind the Eyes of the great and honourable, the Wise and prudent from a Profess'd subjection to the Doctrines of the Gospel. May I only be permitted to see these hopes confirmed, and I know nothing I desire to see more in this World. Mr. Whitefield's constant Attendance on that pious and truly honourable Lady three days in a week, and on Sabath days in the Evening oblidges him to employ the best Assistance he can procure at those times for the Tabernacle, and I have the pleasure of seeing it attended in his Absence much better than before.[2] He had from his first coming here designed a Journey to North Britain, and as soon as matters were settled to his Satisfaction sett out to visit his Friends there: where he found Divisions carry'd much higher than at home.[3] Two or three Parties each calling themselves the Established Church, and so eager in the support of their claims, that Parents excommunicated their own Children, who in returne with equal Zeal anathematiz'd their Parents: Brothers not indeed delivering their Brethren to Death (that thank God being out of their power,) but as farr as they could giving them up to Satan, and all this as far as I am capable of understanding the grounds of the quarrell, about nothing at all. It was impossible he could be received by Parties so directly opposite to each other, tho I beleive he had Prudence enough not to interest himself in a Dispute in which he could have no possible concerne; as it turned on matters relateing to their solemn League and Covenant. His Business there being to visit his Friends, and Preach the Gospel

[1] It was Bolingbroke who wrote to Lady Huntingdon, that the king had "represented to his grace of Canterbury [Herring] that Mr. Whitefield should be advanced to the bench, as the only means of putting an end to his preaching."

[2] Upon his return from America he had announced (September, 1748,) "that he must leave to others the formation of 'societies,' and give himself to general preaching." — *Works*, II. 169.

[3] He made a journey of six weeks in Scotland, meeting with much opposition from the Synod in Glasgow, Lothian and Perth.

in such Churches without Distinction where he could obtain permission. This he did though with much Contention, yet attended with the demonstration of the Spirit and of power. Upon the whole he returned well satisfyed with the success of his Journey and in a better state of Health than he left us.

He has since been down in the West, and is preparing in a day or two to returne thither again; May the blessing of God attend him whereever he goes, and continue him for farther Service, in which I am sure I have the Concurrence of your Prayers and those of his Friends in America: especially as I am afraid they are like to Enjoy the greatest benefit from his future Labours: his settled purpose at present being to returne thither the latter part of this Year, though prehaps Providence may give him cause to change his Resolutions.

It is time, Sir, to put an end to so long a letter, having answered the principal End of it, by giving you the best Account I can of the present state of things here, if in returne you will favour me at an hour of leisure, with the Success the Gospel meets with among you, I shall esteem the Obligation, tho I am afraid the Accounts from your parts, at least if my intelligence be true, will not be so favourable as your Friends here could wish.

You will please to dispose of Mr. Whitefield's most Affectionate Remembrance to all his Friends, and excuse the Hand he has Employed to send it by, from his other necessary Avocations. Remember me Dear Sir, at all times in your Prayers, and be assured you shall not be forgotten by Your ever Affectionate Friend and Serv't.

ROBERT CRUTTENDEN.

LONDON, March 15th, 1748/9

[Endorsed] Robert Cruttenden's Letter wrote from London in Behalf of Mr. Whitfield — that grand Hypocrite.[1]

Mr. GREENOUGH communicated from his own collection a letter of James Watson Webb, of the *Courier and Enquirer*, enclosing a paper signed by Kossuth.

J. W. WEBB TO DANIEL WEBSTER.

MY DEAR SIR, — Kossuth sailed from here on the 14th inst. under the *alias* of Alex. Smith; and on the day previous to his sailing, he signed the following contracts. That they are genuine admits of no question; and the gentleman who placed them in my hands, says he can abundantly verify the signature. Henningsen carelessly left them on the table in Kossuth's room; and he in the *hurry* of his

[1] See the letter of *Thomlinson to Atkinson*, July 14, 1742, p. 204, *supra*.

departure, forgot to take them with him. That they indicate his connexion with some movement against Hayti from this quarter, is evident; and therefore, I at once place the document in your possession, to be used as you may deem advisable. Recent intelligence from Hayti appear to anticipate a movement of this kind.

Please acknowledge the rect. of these papers as I am pledged to have them forth-coming, if not wanted by you.

Yours very truly

J. WATSON WEBB.[1]

[ENCLOSURE.]

NEW YORK, 13th July, 1852.

I hereby authorize Charles Frederick Henningsen and William Nelson to negotiate on my behalf, my co-operation with a company for the defence and colonization of the republic of So. Domingo on condition that such funds (or other available securities) be previously collected as shall cover the expenses to which I may become liable as member of such company through the contract, whereby it engages itself to the Dominican republic, and I further commission the said Charles Frederick Henningsen in that case to survey and report upon the contemplated seat of hostilities, to plan the campaign and represent me in it as political and military agent during its continuance.

L. KOSSUTH.

Mr. NORCROSS contributed two letters written by Mrs. Andrew Stevenson to Dr. Thomas Sewall, of Washington, D. C. Her husband, was, at this time, United States Minister at the Court of St. James. Sewall was born in Augusta, Maine, in 1787, but removing to Washington in 1820, occupied the chair of Anatomy in the Columbian College until his death in 1845. In 1837 he published two lectures, *Examination of Phrenology*, which were reprinted in London in the following year. It is reviewed in the *North American Review*, XLV. 505.

[1] Webster's opinion of Kossuth may be learned from the following extract of a letter written by him on July 16, 1852, to Edward Curtis: "John Taylor has recovered from the bull; and a painter has come all the way from Boston to paint an animal that could throw John Taylor over his head. John Taylor entertains a very bad opinion of that bull, and says he is no more fit to run at large than Kossuth himself; and Fletcher says these Hungarian cattle, biped or quadruped, are dangerous to American institutions and constitutions." — *Private Correspondence of Daniel Webster*, II. 538.

Mrs. Stevenson to Dr. Sewall.

London, August 8th, 1837.

My dear Doctor,—I received your kind letter by Doctor Warren some days *before* the one you had previously written me with the books, and hasten to thank you most sincerely for both, and also for the little volume on phrenology which has, I must confess, greatly shaken my faith. You will not be surprised that I hold rather tenaciously to it, when I tell you, many *good things* have been said of my *head*. I delivered the one intended for Mr. Rush, and in *my own name* requested his notice of it in the papers. I feel highly gratified, my dear Sir, that you should remember me with so much kindness, and I must still hope you will keep me a warm corner in your heart. I have often thought of you since my sojourn here, and both my husband and myself made enquiries after you, from our countrymen who have visited this Queen of Cities. I regret that I have not been able to see more of your friends the Warrens. They dined and spent an evening with us, and I have two or three times met them at evening parties; but since their arrival in London, I have been absent for a week or ten days with the hope of renovating my health by a little country air, as I have been suffering all the winter from frequent attacks of influenza and from long confinement to the smoky atmosphere of London. We have seen much of English society, and formed many valuable acquaintances. There is in this land of our fore-fathers much to delight an American who feels associated with its fame, its literature, and its glory, We can scarcely feel ourselves foreigners, speaking the language, and familiar with its literature, its customs, and even bearing on our countenances the lineaments of a common parentage. My husband and myself have much cause to feel and think thus towards England, for we have been received and treated with a kindness and hospitality never to be forgotten. We have been particularly pleased with our short excursions to the Country. In our young Country we live in the *Future*, here in the past, where every object brings up the gathered grandeur of a thousand years, we behold with the deepest interest what from familiarity has become indifferent to an Englishman, who is astonished tho' *flattered* at our enthusiasm.

The last few months have given birth to many interesting events in the political world here. The death of the King,[1] and the accession of a young and lovely princess in the spring-time of youth and innocence has run these grave Englishmen mad with loyalty,

[1] William IV died June 20, 1837.

and it is said the age of Chivalry will be revived, Nothing is talked of by the young and the old, the grave and the gay, but her Majesty's wisdom and goodness, her graceful dignity and calm self-possession, united to such beautiful simplicity and *naturalness*. We dined with her a few days since, and I must confess, amidst all the gorgeous magnificence of her new Palace I thought her the object most to be admired, most wondered at, so young, so new to the world, and yet possessing so pre-eminently all those qualities fame has ascribed to her. The Whigs proclaim her a *prodigy*, the Tories shrug their shoulders, and say significantly, "nous verrons." But I must not encroach too long on your valuable time. I pray you to present me kindly to your amiable family, and especially to that excellent and kind-hearted *Lady* who promised me her *prayers*. With our united cordial regards, I am, my dear Doctor, Yours very truly and sincerely

SARAH C. STEVENSON.

LONDON, July 23d, 1840.
32 Upper Grosv'r St.

MY DEAR DOCTOR, — I am afraid you have thought me forgetful, if not ungrateful, for your kindness in having so long delayed to thank you for your kind letter, and the accompanying book; but not so, I assure you. It would be too tedious to enumerate all the causes of my silence, but when I tell you we have lately been in affliction, I am sure, your kind heart will not only forgive, but sympathize with us. My husband lost in June his only remaining brother, which has been a great grief to us both; and to be stricken with affliction in this great bustling world of London is indeed doubly sad. To see the busy stream of population with its ebb and flow forever hurrying on in pursuit of pleasure, or of gain, the unceasing roll of carriages, the riding and driving, the noise, bustle and confusion is distracting to the bruised spirit; but in consequence of the absence of the Sec'y of Legation, we have been confined to town by the duties of the office, and unable to seek the repose and tranquility we have so much required.

We have read with great pleasure your most able exposure of the errors of phrenology, and I think even Gall and Spurzheim, could they return to this lower world, would be convinced by your arguments, and forced to acknowledge the absurdity of their theory. For myself, I confess, the specious plausibility of the science, (if indeed it may be so called,) had captivated my imagination and made me half a convert; but your book has perfectly convinced me of its futility and also of its mischievous tendency. Mr. Stevenson has taken the proper measures to have it presented to the Queen,

with the expression of your admiration and high consideration, etc., etc. She is, as you have justly said, a most extraordinary person, so young, and inexperienced to have conducted herself upon every occasion with so much propriety and firmness is really astonishing. When the late attempt was made upon her life, she was as calm and self-possessed as the Hero of Waterloo could have been under similar circumstances, or our own Jackson, with his iron nerves. She heard the report of the first pistol and remarked to Prince Albert how improper it was for persons to be allowed to shoot birds in the park, but whilst speaking she saw the second pistol directed immediately to herself with deliberate aim, in a few yards of her carriage. Undismayed she watched his movements. and then stooping her person she says, she *thought*, "If it please Providence I may escape." Her going immediately to her Mother to prevent her being alarmed at any report which might reach her, was a touch of good feeling that renders her more interesting to me, than her Heroism.[1]

I hope you will have the kindness to present me to the amiable Lady of your family whom I had the pleasure of meeting but once, but whose kind benevolence I can never forget. I trust she has not forgotten me, or the promise she made me on parting. Accept, my dear Sir, the assurances of our warm and sincere friendship and regard for yourself, and believe me, very truly yours,

S. C. STEVENSON.

Remarks were made during the meeting by ANDREW MCFARLAND DAVIS and JOHN D. LONG.

[1] This attempt upon her life was made June 10, 1840, by a "brainless potboy," Edward Oxford, who fired two shots at her from a pistol as she was driving through the Green Park, from Buckingham Palace to Hyde Park Corner.

DECEMBER MEETING

THE stated meeting was held on Thursday, the 8th instant, at three o'clock, P. M.; the PRESIDENT in the chair.

The record of the last meeting was read and approved; and the Librarian read the usual list of donors to the Library.

The Corresponding Secretary reported that letters accepting their election had been received from Frederick Jackson Turner as a Resident Member, and from Charles William Chadwick Oman, of Oxford, England, as a Corresponding Member.

The Cabinet-Keeper reported the gift to the Society by Miss Dora Walton Russell, of a bas-relief portrait bust of Edward Everett, made by Thomas Ball, in 1859, and given by him to Charles Sumner; and of a John Brown pike. He said that Judge Thomas Russell and his wife, the parents of Miss Russell who gives the pike, gave shelter to Brown in April, 1857, for a week, when he wished to escape capture, and were among the first of his friendly visitors from the north while he was lying in the jail at Charlestown, Virginia. The time when Judge Russell obtained the weapon is not known; but the maker, Blair, sent a dozen spears as samples to Brown in March, 1857, when the latter was at the Massasoit House, Springfield, and it is possible Brown carried some of these to Boston.[1]

[1] Villard, *John Brown*, 288, 545. These pikes were not made for the Virginia incursion, but were intended for use in Kansas. In March, 1857, John Brown was in Collinsville, Connecticut, lecturing on Kansas. He then showed a two-edged dirk which had been taken in the Black Jack fight of June, 1856, and stated that if he had a lot of them to attach to poles about six feet long, they would make a capital weapon of defence in Kansas against night attacks on the settlers' cabins. He asked Charles Blair, a blacksmith and forge-master, who stood near, to give him the cost of making five hundred or a thousand. A contract was made for the larger number, but Brown was unable to make the stipulated payments on time, and it was not until June 3, 1859, two years after the date of the contract, that he completed the transaction and took the weapons. The pikes were in Brown's hands in Chambersburg early in September of that year. In the following month occurred his capture. The subsequent history of the pikes is not very different from that of relics of the same character. Found on the Kennedy Farm by Lieutenant J. E. B. Stuart, these pikes were freely distributed as souve-

Gardiner Weld Allen, of Boston, was elected a Resident Member of the Society.

The PRESIDENT announced that the preparation of the memoir of Morton Dexter had been assigned to Franklin B. Dexter, a Corresponding Member; and that of James Frothingham Hunnewell to Mr. Kellen.

The PRESIDENT briefly remarked upon the connection of Mr. Hunnewell with the Society, and called upon Mr. KELLEN, who said:

James F. Hunnewell, a Resident Member of this Society since January 11, 1900, died on November 11, 1910, at the age of seventy-eight. He was of the elder type of Bostonian now fast disappearing. He was conventional in dress, manner, speech, habits of thought and action. No one could take a liberty with him or jest with him about what he considered serious. With good New England blood in his veins, he had a keen family pride, and great respect for those bearing like honorable names in the community. He was precise, prompt, punctilious, even meticulous, in the performance of every self-imposed duty. His work was his recreation, his recreation was his work. He was a slave to routine as well as to duty, and performed his round each recurring day according to the methods of his fathers. Throughout life he discharged his correspondence, kept his accounts, wrote his books and papers in the precise longhand he had always used. He knew no other way. He was careful, he was secretive. Perhaps his will just filed in the Probate Office, a lengthy document executed in 1907, when he was seventy-five, reflects as accurate a portrait of the man as could be drawn. It is inartificial, painfully written in his own hand, a mixture of quasi-legal and colloquial

nirs, and for a long time after the raid were sold to passengers on the Baltimore and Ohio Railroad trains which stopped at the Harpers Ferry station. The trade became so profitable that imitation pikes were manufactured in the neighborhood and sold to tourists. *Villard*, 283–285, 400–401, 467.

In the Boston Public Library is what is believed to have been the pattern pike which Blair used. It was given by John Brown himself to John Hopper, of New York, a son of the Quaker philanthropist, Isaac T. Hopper, whose life was written by Lydia Maria Child. Hopper gave it to William Lloyd Garrison, in May, 1860, and it passed with the important collection of Garrison MSS. which the sons of the great abolitionist gave to the Public Library. When it was shipped to Boston, the handle was cut down, and only some eighteen inches of it now remain. *Letter of Francis J. Garrison to the Editor.*

phrases. To the usual preliminary averment that the testator is "of sound mind" he adds that he acts of his own "judgment and free will." He directs a division of his estate into parts "as appears by my Trial Balance thereof next preceding date to my decease." At the end he carefully states the obvious fact, "This my Will I have written with my own hand." The whole document breathes the spirit of an earlier and more leisurely age and betrays the persistence of the mercantile habit. He notes in parentheses, in directing the payment of his debts, "(No business notes, as so-called, signed or endorsed by me, now exist.)" He gives generous sums absolutely to his family and then creates trusts for the benefit of the same to insure absolute protection. Two provisions will interest the members of this Society as booklovers and as conservative members of the community. Nothing can be more pathetic to a bibliophile than the dispersal of a library upon the death of the owner, who has gathered them slowly and lovingly at much pains and expense, for the reason that his descendants lack the love for books or for books of the kind so collected. Mr. Hunnewell, to guard against this, gives to his son his library "in trust for ultimate disposal, as I shall specify in a letter of advice separate from the present document," but with a further provision that the son, "if he has a child with a love for books and a desire to have and use mine," may transfer the library in whole or in part "to such child subject to conditions . . . for the ultimate disposal of certain collections or parts of my said library that I have with much labor gathered, and can with difficulty be duplicated, and that I feel should ultimately be kept together in permanent and safe custody." With his ever-present secretiveness he adds, "I desire that no Inventory or Catalogue of my Library be made public," except so far as "ultimately disposed of." This letter of advice, it may be said in passing, has not yet been opened, and what the ultimate disposition of the library will be is unknown. Mr. Hunnewell in this connection shows little faith in the perpetuity of one, at least, of our most cherished Institutions. In providing in the Will with great particularity for a "tomb with a catacomb" in Mount Auburn and for the removal thereto, "if necessary," of remains of four forebears from the Old Burial Ground in Phipps Street, Charlestown, he adds, "I think it is

quite possible that such Old Burial Ground and my father's tomb therein may prove a more enduring resting place than Mount Auburn for the four above-mentioned remains. I however, make provision for a possible, though probably remote, contingency." This desire of Mr. Hunnewell to provide for possible, though not probable, contingencies would appear to have led him in another provision, eschewing legal aid, to attempt to tie up a large sum beyond the allowable limit, the effect of which is that the fund will pass at once at the end of a single life into the residue of his estate, instead of much later, as was his evident intention.

He was educated privately and then taken into business by his father, who was engaged in foreign commerce. He, however, retired from active business comparatively early in life, and thenceforward devoted himself sedulously to the variety of pursuits, literary and otherwise, which interested him. He became a persistent traveller, an industrious author, an enthusiastic antiquarian, a local historian, and an omnivorous collector of the rare and the valuable, as well as of the odd and the commonplace, in art and literature. Nothing was too expensive within limits; nothing too trivial — if both came within his line — to be added to his vast and accumulating store.

His father, always described by him as "James Hunnewell, Gentleman," was one of the last of the American overseas merchants. With a branch house at Honolulu, the son was early brought into relations with the Hawaiian Islands. A member of the Hawaiian Club in Boston, he was sometime its President. He edited a diary of his father under the title of the *Journal of the Voyage of the Missionary Packet* Boston *to Honolulu*, the *Boston* being a little sixty-ton fore-and-aft schooner. He also wrote a book on the *Civilization of the Hawaiian Islands*. Curiously enough, though so extensive a traveller in other parts, he never visited these Islands, and was never nearer Honolulu than San Francisco. His favorite route of travel lay over the "Western Ocean," across which, in craft of every size and speed, he made, early and late, some forty-eight voyages, and mourned because advancing infirmities prevented his rounding out the full fifty he had set his heart upon making. His final voyage of two summers ago carried him to Russia, from which he returned as enthusiastic as from his earliest trip abroad.

Inquiry from a friend how to do Italy after the American habit immediately elicited from Mr. Hunnewell a voluminous itinerary with incidental suggestions for sight-seeing as concise as Rolfe and as detailed as Baedeker.

The Historical Monuments of France, England's Chronicle in Stone and the *Imperial Island* were some of the products of his travels, all revealing close observation and rare industry. But the love of Scott and the close study of the scenes of the novels of the Wizard of the North were his dearest literary passions, and these led to his writing his commentary on the *Lands of Scott.* An allusion to Scott never failed to stir into expression a depth of feeling not habitual to this self-contained American gentleman.

He paid his duty to his native town and its famous battlefield, a corner of which contained his birthplace, through his *Bibliography of Charlestown, Mass., and Bunker Hill.* The loss and removal of old-time neighbors and friends and an uncomfortable change of surroundings led him to remove with his family to Boston, but he still kept the old house, open, warm and cared for, and never thought of moving his library from its walls. It was sentiment, again, which forbade his closing this stately mansion on the slope of the hill across the Charles, and led him daily, as long as strength lasted, to make a pilgrimage to it and to his library within it. What to do with that old house and its out-of-the-way and precious contents is one of the many problems which faces his immediate descendant. His *Records of the First Church, Charlestown,* which parish he was long identified with, was another contribution to the local history of his native place.

He was perhaps seen to the best advantage at the meetings of a small club of congenial spirits, called the "Club of Odd Volumes," and made up of a small knot of collectors, bibliophiles and bibliomaniacs, who gathered all things odd and rare and valuable, artistic, inartistic, it mattered little which so long as they were valuable and the subject of competition. Of this club, made up of faddists distinguished each by his own peculiarities of temper and disposition, Mr. Hunnewell was for a long period the President, and afterwards, until he died, its first Honorary President. In presiding over the meetings of this club he was inimitable. His quaint charm of man-

ner, his generous participation in the enthusiasm of each "Odd Volume," and his happy and humorous turn of expression, seemed to create at the club meetings an atmosphere of detachment from the grovelling and unimportant things of life, such as interest the ordinary "man in the street," and for a time seemed to divorce the club and its members from participation in the disturbing cares and anxieties of life. And time thus spent was by no means wasted. From clubs such as this, the London "Sette of Odd Volumes," The Grolier Club in New York and others, with the rivalries therein created and the zeal so stimulated, many of the great collections here and abroad have been assembled, first in private hands and ultimately — the fortunate fate of all things fine — into great libraries, special or general, and into great museums, for the continuous delight and culture of the race. This finally, it is to be hoped, will be the destiny of the curious and vast collection of books left behind by Mr. Hunnewell.

The range of his active sympathies, as has been said, was wide and his interest in them engrossing. He assumed no burden which he did not carry conscientiously. In his native town he filled nearly, if not quite, every position of trust affecting the public interest: educational, parochial, charitable, fiduciary and financial. A conspicuous son of Charlestown, he was, of course, a director of the Bunker Hill Monument Association. Interested in far-off lands he was at one time an officer of the Society for the Propagation of the Gospel in Foreign Parts. An antiquarian, he was a member of the American Antiquarian Society; a genealogist, of the New England Historic Genealogical Society; a local historian, of the Bostonian Society; a clubable man, fond of quietly mixing with his kind, he was a respected member of various social and quasi-literary clubs, the Union Club, the St. Botolph Club and the University Club; of artistic tastes, of the Boston Art Club; with public spirit, of the Massachusetts Reform Club. He received the degree of Honorary A.M. from Beloit College in 1858, not only because of his literary work, but because of valuable assistance rendered by him in straightening out, and putting upon a sound foundation, the finances of the College. There was scarcely an altruistic tendency in the community which did not evoke the effective help of this quiet,

refined, unassuming gentleman. What, however, he prized most in the world was his membership in this honorable Society, at the meetings of which, when not an active participant, he was ever an interested listener, showing his delight and pride in his membership here in his substantial addition to the resources of the Society. The opportunity to draw upon his special field, the history of Charlestown, did not arise during his membership; the two formal papers contributed by him were on the "Early Houses near Massachusetts Bay," [1] and an "Aid to Glory," [2] founded on an old letter-book of the War of 1812 period. His last attendance, if I mistake not, was when with great effort, and at the cost of intense discomfort, he dragged himself here to listen with satisfaction to the announcement of his gift to the Society, and its acknowledgment by his associates; but he was compelled to leave before the meeting was called to order. It should also be stated that Mr. Hunnewell, not long before his death, made to the American Antiquarian Society a gift in money toward its Centennial Fund.

He was a useful man in the community and did his duty to the best of his ability to his family, to his friends and to the societies with which he was connected. He was a delightful gentleman of the old school who passed a long and busy life in good works and helpful agencies, all tending to the betterment of his fellows.

Col. W. R. LIVERMORE read the following paper on

GETTYSBURG.[3]

Nearly half a century has passed since the battle of Gettysburg; twenty-four centuries since the battle of Marathon. In many respects the art of war has changed more from Gettysburg to the present time than from Marathon to Gettysburg. The soldier of to-day fires five times as far and five times as fast as a soldier of the Civil War, and carries five times as many rounds of ammunition. The artillery pours out continuous streams of projectiles. General Sherman predicted that the battles of the future would be short, sharp and decisive. The

[1] 2 *Proceedings*, XIV. 286. [2] *Ib.* XVI. 181.

[3] Based upon his "Story of the Civil War." See *Proceedings*, XLIII. 233.

battle of Gettysburg lasted three days and covered an area of twenty-five square miles, but the battle of Mukden lasted for several weeks and covered two hundred times that area.

To study the dispositions and movements of the battle of Gettysburg with a view to copying them now might be a fatal error. To draw up an army of 85,000 men on open ground in a line of three or four miles in length with an average depth of ten solid ranks and in the presence of a hostile army of nearly equal strength, would be to deliver it over to captivity or slaughter

The human factors, however, have not changed and even the forms are not so different as the dimensions.

From a study of the campaigns and battles of our Civil War one can learn much of its principles, not because those campaigns and battles were always well conducted, but because they gave rise to so many military situations, each one of which offers a useful field for study of military problems. We are more concerned now in learning what should have been done in each case, and only incidentally in deciding who was most to blame for not doing it. This is the only war, so far as I know, in which it is possible to follow positions of the troops on both sides throughout a battle or a campaign. Almost every report has been published. In most cases the report as it stands conveys no idea of any value to any one but the writer and his immediate superior, and, in many cases, none to him; but by comparing hundreds of them we may find a hundred equations between a hundred unknown quantities, from which a military expert can learn where almost every man was, from the beginning to the end of a battle.

For military use an exact and detailed knowledge of one battle is worth far more than a general knowledge of a thousand. Military science is quantitative and very complex.

The strategic movements of large bodies of men are not so hard to understand and to direct as complicated movements of a battlefield. A moment of time or a slight preponderance of force on some part of the field may decide the combat there, and the result of this combat may decide the next, until some advantage is gained which will decide the battle, the campaign, the war, and the fate of the nation.

To take advantage of the means at his disposal, the leader

of a modern battle must have a thorough knowledge of the power and endurance of his troops and of the influence of their surroundings, to meet any move of his adversary to the best advantage, and reap the benefit of any error into which he may be persuaded to fall. To form a mental image of the course of a battle while it is in progress in order to direct the movements of troops to these ends, is no easy task, and a careful study of the history of former battles is a great help.

In a short paper like the present, I shall not ask you to follow the detailed account of the campaign and battle of Gettysburg. This would be possible only with the aid of a lantern. We are most of us familiar with the general features, and some of our Society played an important part on the field.

It is beyond the scope of this paper to show whether it was better for the North to fight, or to allow the nation to be torn to fragments, or even to submit to the rule of a Southern oligarchy under the delusive name of compromise. The war had already lasted two years when the campaign of Gettysburg began. The Confederate States were nearly surrounded by the Federal army and navy. The army was crushing it by advancing from the Mississippi, the Cumberland and the Potomac. Grant, after failing in repeated efforts to take Vicksburg, had at last invested it, and Joe Johnston was assembling an army to raise the siege. In the winter Rosecrans had beaten Bragg at Murfreesborough, and in June he was still resting there. On the Potomac, McDowell, Lincoln, Pope, McClellan and Burnside had successively commanded the army. Hooker's turn came next. He started the game with a beautiful gambit, crossed the Rappahannock and came down in force upon Lee's defenceless flank. But Lee did not play the game according to the book, and as Hooker was at a loss to know what to do next, Lee kindly moved the pieces on both sides of the chessboard and stalemated him. It was clear to all that Hooker could not command that army, but it was not easy to find a successor who would be acceptable to all parties. Lincoln's problem was not merely to lead the North in a war against the South, but essentially to unite the small majority of Northerners who had elected him with the large minority who had opposed him and were yet unwilling to see the nation destroyed.

Lee could not wait indefinitely for Lincoln to decide. If he

remained long on the defensive, the chances of war would one day compel him to retreat. All the resources of the country around the Rappahannock had been exhausted. Everything had to be brought by rail from a distance. By taking the offensive he could feed off the enemy's country. Lee had about 72,000 troops on the Rappahannock, Hooker about 85,000 there, and Dix 19,000 at the mouth of the James. Richmond and Washington were both well fortified. Washington had a garrison of about 30,000 men. Richmond had practically none.

All eyes were turned towards Grant and Johnston in Mississippi, and all the troops that could be spared from the North and South were sent to reinforce the respective armies. Lee could spare no troops to send there, but he thought that by invading Maryland and Pennsylvania he would prevent Lincoln from sending troops to Grant, and alarm him so for the safety of Washington that he would not allow Hooker to take Richmond, but would recall his army from the Rappahannock. Lee meanwhile would supply his brave, battered and barefoot troops with food and clothing, by his superior skill take Hooker's army at a disadvantage and destroy it, or perhaps elude it, push on to Baltimore or Philadelphia, levy contributions and take possession of the land. He could not, of course, hope to hold it; but he thought that after such a display of power foreign powers would recognize the Southern Confederacy and raise the blockade, and that the peace party at the North might declare the war a failure.

Lee extended his left wing up the Rappahannock, leaving one third of his army confronting Hooker, who wanted to attack. If Hooker had been competent to command an army, he could have wiped this third out of existence and then turned on the rest of Lee's army. Lincoln suggested that it would be better to attack the movable army. As Lee entered the Department of the Susquehanna, Hooker asked to remove the troops from Harper's Ferry to make a raid on Lee's communications. Halleck refused. Hooker resigned, and, much to the surprise of all, Lincoln appointed Meade to the command of the Army of the Potomac. It is, to say the least, awkward for the command of an army on the eve of battle to be thrown upon an officer's shoulder at so short a notice. Lee's army was

already in Pennsylvania, except Stuart's cavalry, which was near Washington. Ewell's Corps was near York and at Carlisle in sight of Harrisburg, Hill's at Fayetteville, and Longstreet's at Chambersburg. Hooker's had just crossed the Potomac and was massed at Middletown and Frederick. Washington was comparatively safe. Meade's problem was to cover Baltimore and force Lee to retreat or fight him before he could reach Philadelphia. Couch with 10,000 or 12,000 hastily gathered militia was holding the Susquehanna. These troops could not be relied upon in the open, but they could destroy the bridges and delay Lee's passage until Meade could come up in his rear. Part of Lee's supplies came up the Shenandoah valley, the rest he drew from the country. For this he was forced to scatter his army as we have seen it. Now that Meade had come up this was no longer safe, and the further Lee advanced, the more his line of operations would be exposed.

Two courses were open for Meade, — to strike at the fractions of Lee's army before they could concentrate, or to force Lee to attack him to subsist his army and to preserve his own communications. To this end Meade proposed, if necessary, to take up a defensive position behind Pipe Creek, but before deciding to do so, he advanced towards Lee's army to learn what he could of his positions and purposes. He had heard that his troops were scattered from York to Chambersburg and thought that perhaps he could force him to fight at a disadvantage.

In the evening of the 27th Lee, learning for the first time that the Federal army had crossed the Potomac, gave orders for his troops to concentrate at Cashtown, about eight miles west of Gettysburg, and on the 30th of June one of his detachments approaching this point, now well known in history, found it in possession of the Federal cavalry. Lee's own cavalry under Stuart was by some misunderstanding far away with a train of 125 captured wagons, and had given him no warning of Meade's approach. Ten roads from as many points of the compass centre at Gettysburg. As the plan of each leader is, if he fights, to concentrate all his forces against part of his adversary's, Gettysburg suddenly becomes a point of strategic value. If Meade can seize it quickly, he can perhaps throw all his forces between the two wings of Lee's army and force them to fight in detail. If Lee is first to concentrate, Meade may

join battle with him there or withdraw to Pipe Creek. Meade's troops were from twenty-four to six miles from Gettysburg; Lee's, from twenty-four to eight.

The battle of Gettysburg began early in the morning of the 1st of July. Buford, who commanded a division of 4000[1] Federal cavalry, realizing the strategic value of the point, determined to hold it. He dismounted his men behind a ridge west of the town and, by a show of force, detained Heth's division of 8000, of Hill's Confederate corps, supported by Pender's division of 5000, until Reynolds's Federal corps of 11,000 came up and relieved him. Reynolds was killed. Doubleday succeeded him. Presently Ewell with two divisions, or 17,000, of his Confederate corps came from the north against the Federal right and rear; Howard next came up with his corps of 9000, from the south, took command of the Federal forces, left part of his corps on Cemetery Hill, and sent the rest through Gettysburg to confront Ewell, but gave no special direction for placing them or for protecting Doubleday's exposed flank. Nor would he for a while authorize Doubleday to withdraw. Barlow of Schurz's division of Howard's corps, perhaps to retrieve the reputation for cowardice which this corps had acquired through the blunders of Hooker and Howard at Chancellorsville, pushed his brigade to the front and exposed his right flank to Ewell's attack, so that half of Howard's corps was rolled up and driven back through the town to their companions on Cemetery Hill. After the enemy were on Doubleday's front, flank and rear, he was compelled to retire.

By four P. M. about 24,000 Federals and 30,000 Confederates had appeared upon the field. The Federals suffered most in the first day's fight.

Howard drew up his forces in line on Cemetery Ridge, to which they were driven, and for this he was honored with the thanks of Congress. It was a good place to go, and through the efforts of Buford and Reynolds and their officers and men in holding back Heth's and Pender's divisions, Howard was able to occupy it.

At three P. M. Hancock arrived at Gettysburg and assumed the command. Meade had heard of Reynolds's death, and un-

[1] The figures are approximate and intended only for a rough comparison of the opposing forces.

willing to rely upon Howard's judgment had sent Hancock ahead to look over the ground and see whether it would be better to fight there or to fall back on Pipe Creek. Hancock gave orders to establish a line of battle on Cemetery Hill, already partially occupied by Howard.

Slocum's corps of some 8000 then arrived. Hancock sent an aid to Meade to say that he would hold the position until night; that the position of Gettysburg was a very strong one, having for its disadvantage that it might be easily turned, leaving to Meade the responsibility whether the battle should be fought at Gettysburg or at Pipe's Creek. Between five and six o'clock Hancock transferred the command to Slocum, and returned to Taneytown.

Sickles with 4000 men arrived near Gettysburg at half past five P. M. Humphreys with 3000 more of Sickles's corps bivouacked about one mile from Gettysburg.

Hancock's corps of 11,000 bivouacked for the night about three miles south, and Sykes's corps of 11,000 six miles east of Gettysburg. Anderson's Confederate division of 7000 came up at five P. M., and Johnson's at "about dusk." Before daylight 53,000 Federals and 45,000 Confederates had arrived within three miles of Gettysburg.

Humphreys with 3000 and Sykes with 11,000 Federals, and Longstreet with 20,000 Confederates were close at hand.

On the morning of July 2d, about three A. M., Meade met Howard near the Cemetery gate and rode with him over the position then held by his corps.

The position selected for the Federal army is shaped like a fishhook. The shank is formed by Cemetery Ridge, which extends from the Round Tops on the south to Cemetery Hill on the north. From this point the line curves around to the east and then south to Culps Hill, which corresponds to the point of the hook. Both of the extremities of this line are strong and capable of defence by infantry against superior numbers.

At eight A. M. on July 2d nearly all of the Federal army except the Sixth Corps had assembled on Cemetery Ridge, Culps Hill, and the ground in its immediate neighborhood.

The Confederate army was on the hills around. Longstreet's corps, which had camped four miles in the rear, was just coming up.

Fitzhugh Lee says of his uncle on the evening of the 1st: "Lee, impressed with the idea of whipping his opponent in detail, was practically ready and eager for the contest next day, and so was his confident army. . . . He was anxious to attack before the Union Army could concentrate."

At five P. M. July 1st, Longstreet reported to Lee on Seminary Ridge: "We could not call the enemy to a position better suited to our plans. All that we have to do is to file around his left and secure good ground between him and his capital." "If he is there to-morrow," said Lee, "I will attack him." Longstreet was astonished. "If he is there to-morrow, it will be because he wants you to attack. . . . If that height has become the objective, why not take it at once? We have forty thousand men, less the casualties of the day; he cannot have more than twenty thousand."

Lee finally decided that Longstreet should commence the battle by a forward movement on Hill's right, seize the commanding positions of the enemy's left, and envelop and enfilade the flank of the troops in front of the other two corps.

Fitzhugh Lee says: "Lee's plan of battle was simple. His purpose was to turn the enemy's left flank with his First Corps, and after the work began there, to demonstrate against his lines with the other two in order to prevent the threatened flank from being reinforced, these demonstrations to be converted into a real attack as the flanking wave of battle rolled over the troops in their front."

Lee did not like Ewell's bent line, but Ewell did. Lee decided to let him remain. At eleven A. M. on the 2d he gave a positive order to Longstreet to move to his right and attack.

If Lee had been correct in his estimate of the relative strength of the opposing forces on the morning of the 2d, it would have been advisable to attack as soon as possible, but he was entirely wrong. He was the greatest general of his day, but his repeated successes appear to have led him to believe that he could run great risks in dealing with the Army of the Potomac and its leaders. His chief care seems to have been to make his victory as decisive as possible.

Meade's line was about three miles long, with an average depth of ten solid ranks, and this line Lee proposed to attack

with an inferior force, extended along a line of about six miles.

The position at Gettysburg, although not an especially good one, was too strong to be attacked in front. The extremities of the line at the Round Tops on the south and at Culps Hill on the northeast were very strong, and as long as they were held the line could not be enfiladed from their direction.

South of the Round Tops the ground falls off into comparatively level country which was partially wooded, but nowhere impassable for infantry and traversed by lanes quite practicable for artillery. This appears to be the key to the whole position.

Knowing as we do that the Federal army was superior in numbers to the Confederate, it follows that if both had been properly handled the Federals would have been successful.

If Meade had been paralyzed as Hooker had been, Lee might have concentrated all his forces on Cemetery Hill or on the Round Tops, attacking either position from all possible sides at once with a fair prospect of success. Any position like this can be turned. Lee proposed to attack the left of the Federal line. He could hope for success only by concentrating there the main body of his army and keeping the rest of it out of action while making demonstrations to deceive Meade as to the point of attack.

As soon as he had decided that Longstreet was to attack, he knew that Ewell's Corps should be withdrawn; but as his nephew says: "Lee to the strong courage of the man united the loving heart of the woman. . . . He had a reluctance to oppose the wishes of others or to order them to do anything that would be disagreeable and to which they would not consent. 'Had I Stonewall Jackson at Gettysburg,' he said, 'I would have won a great victory,' . . . because he knew it would have been sufficient for Jackson to have known his general views without transmitting positive orders and that Stonewall, quick and impatient, would have been driving in the enemy's flank ere the rays of the morning sun lifted the mists from the Round Tops."

His tender-hearted nature was a source of strength and enabled him to do with his men what he could not have done without it, but it is safe to say that he would not have yielded to its promptings if he had not thought he would succeed, and it is

most improbable that he would have thought he could succeed if he had not already violated the soundest principles of grand tactics with impunity.

Gettysburg may be regarded as the last act of the drama that began at Chancellorsville, where, knowing the weakness of his adversary and perhaps by despairing of a better course, he had divided and subdivided his army in the presence of superior forces and yet had driven them back across the Rappahannock.

At Gettysburg the immediate danger was not so great, because the wings of his army were not so widely separated, but the chance of success was no greater, because there was no part of the battlefield where he could expect to bring force enough to outweigh the advantage which the enemy derived from his intrenchments. Lee must have hoped to attack before Meade could concentrate, and he must also have believed that the morale of the Federal army had been so completely shattered by successive defeats that he could neglect the principles of grand tactics, which he understood, at least as well as any man on the battlefield. He thought that it was better to risk the consequences of a false move rather than offend his subordinates or demoralize his own army. He was gambling in the art of war.

The movements of the second and third day's fight are too complicated to be discussed in so short a paper as this. [The speaker then traced them on the maps which he had prepared.]

Col. Thomas L. Livermore estimates the effectives of the Army of the Potomac at 83,289, losses at 23,049; of the Army of Northern Virginia, effectives 75,054, losses 28,063. Meade estimates [1] that Sickles's faulty movement on the second day practically destroyed his own corps, caused a loss of fifty per cent in Sykes's and very heavily damaged Hancock's, producing sixty-six per cent of the loss of the whole battle, and with what result? Driving us back to the position he was ordered to hold originally.

Pickett's and Pettigrew's charge on the third day has rightly been termed the high tide of the Rebellion. Some have placed it at Murfreesborough, some at Vicksburg, but the vote of Themistocles has been cast for Gettysburg.

By holding his position, or, as we may say, standing pat, after the repulse of Pickett's charge, Meade insured the retreat of

[1] *Battles and Leaders*, III. 414.

the Confederate army, the safety of the North, and the opening of the Mississippi. It was no ordinary task to direct the movements of the Army of the Potomac, so capable, so intelligent, so long-suffering under incompetent leaders. Some unforeseen contingency or the mistake of a single commander might perhaps have turned Meade's victory into a defeat. To have accomplished so great a task within a few days from the time he was placed in command was the work of no ordinary talent, and Meade is well worthy of the praise he has received for turning the tide of the Rebellion.

If, on the other hand, as soon as Pickett had fallen back, Meade had launched the Fifth and Sixth Corps upon his flank, Lee's army would probably have been routed, and the war might have ended in a few months. As it was, after this campaign was over, and before Meade's army was ready to fight, part of his troops were sent to Chattanooga. The winter set in before he had made material progress. In the spring of 1864 Grant came to the East. If he had come to the Army of Northern Virginia and Lee had come to the Army of the Potomac, it is not impossible that the war would have ended then and there. It dragged on for another year, but after Gettysburg with much less hope for the Confederacy.

If, however, on the 4th of July, 1863, Vicksburg and Philadelphia had fallen, the Father of Waters would flow unvexed to the sea. The Confederacy would be cut in two, and the North would be forced, perhaps, to recognize the independence of two more nations upon this continent instead of one. Louis Napoleon might reduce the number. The war would end for a time, but the North would become a military nation inspired, as President Lincoln said, by the resolve that the dead on this hallowed ground "shall not have died in vain — that this nation, under God, shall have a new birth of freedom — and that government of the people, by the people, for the people, shall not perish from the earth."

The PRESIDENT then read extracts from a paper on

THE WEEMS DISPENSATION.

Sending to my brother, Henry Adams, one of our Honorary Members, a copy of the recent Serial of the Society contain-

ing his paper on the Secession Winter of 1860–1861, I some days ago received from him an acknowledgment, in which was the following reference to my own paper, in the same Serial, on "Washington and the Revolutionary Cavalry": "Before publishing your last word on Washington, I hope you happened on Pickering's criticism of his military abilities, which I stumbled upon in the Pickering manuscripts in the Historical Society's collections. Pickering was quite as sharp on George Washington as he was on John Adams. The paper ought to be dated rather late, — at all events, I should say, after 1800. I found it very amusing as coming from the military head of the New England Federalists."

I had already come across one excerpt on this head from the Pickering MSS. in G. W. Greene's *Life of General Nathanael Greene*. This, I referred to in the paper relating to the Strategy of the Campaign of 1777 (*supra*, 58). As Mr. Henry Adams's letter seemed to indicate that in the Pickering MSS. there were still other notes and memoranda on the same topic, I asked our editor, Mr. Ford, if he would kindly look them up. He has done so; and I have, as my brother intimated I would, found them as reading matter not only distinctly "amusing," but extremely suggestive. Indeed I, at times, met in them not only verification of the conclusions I had already reached and expressed, but, in one case at least, a similarity of language which would lead any one examining both papers confidently to assert that in preparing my own I was, without acknowledgment, quoting Pickering. The memoranda referred to have, moreover, great additional historical value, coming, as they do, from one who at the time of writing was the acknowledged head of the New England Federalists, and who previously had been both Adjutant-General and Quartermaster-General of Washington's army. Later, Pickering was also a member of Washington's Cabinet (1791–1797), serving successively as Postmaster-General, Secretary of War and, finally, as Secretary of State. Thus scarcely any of his contemporaries had equal occasion or opportunity to observe and study Washington's character and methods, both military and civil. Born in 1745, Pickering was thirteen years Washington's junior. When serving as Adjutant-General and Quartermaster-General, Pickering was between thirty-

two and thirty-seven. When in the Cabinet he was a man of fifty. Though of narrow mind and apt to be both prejudiced and set in opinion, Pickering had distinctly his elements of strength. Twelve years older than Alexander Hamilton, he and Hamilton were closely associated both as members of Washington's military family, and later as his political advisers. Pickering early fell under Hamilton's magnetic influence, and, appreciating to the full his "transcendent abilities," was not only his political adherent but unquestionably reflected his opinions and judgments as respects men no less than measures. The notes in question are not only quite voluminous, aggregating together, I should say, some fifty typewritten pages; but they were written at different times down even to the closing year of Pickering's life. They were evidently intended as historical memoranda. As our Editor proposes to print the essential portions of them,[1] I shall not include any of them, or extracts from them, as part of the present paper. There are, however, certain other topics, relating more or less directly to the same subject, with which I propose now to deal at some length; thus concluding, I hope, a series of studies begun no less than fifteen years ago, though in the interval most intermittently pursued.

In the paper submitted by me at the October meeting of the Society, relating strictly to military topics, I had occasion to refer to Carlyle's *Life of Frederick the Great* (*supra*, 40). In the foot-note specifying the place of my reference I remarked that, while this work was indisputably one of genius, it was, as a military narrative, undeniably irritating. On almost every page of Carlyle's dramatic account of the Second Silesian War, it is apparent that the narrator was wholly devoid of familiarity with the details of practical, matter-of-fact warfare — marching, camping, eating, manœuvring, fighting. But in the course of my investigations in the preparation of the paper referred to, this lack I found by no means confined to Carlyle or the *Life of Frederick the Great*. The civilian narrator — Shakespeare's "bookish theorick" — is indeed, especially in his description of battles and critical movements, apt both to draw rather heavily on his own imagination and to accept

[1] Some, not altogether sufficient or satisfactory, extracts will be found in Pickering, *Life of Timothy Pickering*, II. 79–110.

somewhat implicitly the imaginings of others no better informed than himself. Again, actual participants in military operations are proverbial for telling their experiences over and over, generally with additions and a constant tendency to embellishment, until they become themselves actual believers in their own distortions and inventions. Such garrulous fabrications are then accepted by investigators as eyewitness evidence; and, once made a part of the accepted record, pass thereafter as history, until, by some one, peremptorily challenged. A striking example of this can be found by reading Washington Irving's detailed account of an important incident alleged to have occurred at Brooklyn, Long Island, August 29, 1776 (*Washington*, Chap. XXXII.), in connection with Bancroft's Note to the fifth chapter of Epoch IV of his *History* (Cent'l ed., v. 388, 389), in which he rejects the whole story as an untrustworthy and most improbable octogenarian reminiscence.

While pursuing the recent investigations referred to I came across another striking illustration of this — an illustration of a thoroughly irritating character — in Professor George Washington Greene's *Life* of his grandfather, Major-General Nathanael Greene. I now call attention to it merely *exempli gratia*. Professor Greene is describing the outcome of the battle fought at Germantown, near Philadelphia, October 4, 1777. It is merely necessary here to say that this action was an attempt at surprise by General Washington, at the head of the Patriot army, and at first was partially successful. When, however, the British rallied from something closely approaching the panic not infrequently the result of an early and wholly unexpected morning attack, the Patriot army speedily sustained a reverse, and was compelled to retreat. Lord Cornwallis was that day in command of the British reserves. Professor Greene thus describes what then occurred:

> Cornwallis had now joined the pursuers with fresh troops, and they pressed on with new vigor. Pulaski's cavalry, who formed a rear-guard, shrinking from their fire, rode over the second [Greene's] division, which broke and scattered, mistaking them for the enemy's dragoons. It seemed for a moment as if the artillery must be lost. To allay the confusion and save it, Greene ordered the men to lay hold of each other's hands, and thus form a firm line again. The

balls, all this time, were whistling round him, and his officers looked anxiously at his reckless exposure of his person. But he well knew where men turn for encouragement in danger, and what a strengthening power there is in a firm brow and cheerful countenance. Queues and curls were the head-dress of the day. A musket-ball struck off Captain Burnet's queue as he was riding at the General's side. "Burnet," said Greene, "you had better jump down, if you have time, and pick up your queue." "And your curl, too, General," answered Burnet, observing that another ball had just taken off one of his commander's curls. Greene laughed, and all held on their way, lighter-hearted and more cheerful for the well-timed jest.[1]

As one not wholly without experience in actual warfare and who has himself not infrequently been in fairly immediate contact with hostile forces, I must confess to finding it somewhat difficult, when dealing with such a narrative, to observe a becoming restraint of language; for, not merely "bookish," it is puerile. One would imagine the description to be, not of a life-and-death combat, on the outcome of which might depend the fate of a cause, but of a boy's snow-ball fight on Boston Common. In the midst of a confused retreat, with bullets whistling and striking, the pursuit so hot that the artillery was in great danger of instant capture, "Greene ordered the men to lay hold of each other's hands, and thus form a firm line again!"

In case of such an extraordinary and previously unheard-of tactical performance, it would be interesting to inquire what the men did with their muskets when they thus clasped hands. Did they throw them away, or did they hold them in their mouths? Did they then, firmly clasping each other's hands, chant a hymn; or did the Major-General commanding hearten his followers by singing a comic song? As the British, under Cornwallis, had no cavalry, and it was a case of infantry pressing close on infantry, the thought naturally suggests itself, how was such an attack to be better resisted by the joining of hands? A "division" is a military body composed of a number of lesser organizations — brigades, regiments, companies — each under the exclusive command of its own officers. Did the major-general commanding in this action at once supersede all his subordinates, and assume immediate direction of the

[1] *Life of Major-General Nathanael Greene*, I. 480–481.

entire division, reduced *pro hac vice* to the grade of a platoon? If, however, such statements are made in a grave historical narrative, it seems but proper the authority on which they are made should be indicated. This, Professor Greene omitted. It would, however, be not unsafe to assert that the ungiven authority for the above performance, if it also was not an octogenarian's reminiscence, was himself not experienced. That such an idle tradition should find its place in sober history, prepared nearly eighty years after the event, is the reverse of creditable.

Not satisfied with this extraordinary clasping of hands battle-trick, Professor Greene then goes on to tell us how the queues and curls of the Major-General commanding and his accompanying staff officer were shot away by musket balls as if cleanly cut off by shears, and he recounts the humorous remarks thereupon indulged in; further, he adds that, after this display of wit and nerve, they all, soldiers and officers, "held on their way, lighter-hearted and more cheerful for the well-timed jest." It is, or ought to be, needless to say that this style of writing degrades history. Any one who has chanced to have been concerned in active warfare, and has participated in the dangers and exigencies of a retreat while holding in check a hotly pursuing enemy, does not need to be told that such an occasion is not one for jest or repartee. Men are dropping; nor is the whistling of bullets in immediate proximity to one's own person in any degree incitive of mirth, though on occasion it may be of attempts at a somewhat foolish display of bravado. Except by school teachers and others of the less informed, such a narrative is, of course, at once discounted. Meanwhile, if taken seriously, anything less characteristic, or more discreditable to a commanding officer like Greene, could hardly be devised. On such an occasion he has other things to think of than curls and queues, which, be it incidentally observed, bullets tear but do not cut away. Neither, with his men dropping about him and his wounded left to the mercy of the enemy, is a commander on such an occasion in either a light-hearted or a jesting mood; nor are jests "well-timed."

Passing to a different narrator, and another memorable incident, in a somewhat curious book, published at Charleston, South Carolina, in 1822, entitled *Anecdotes of the Revolution-*

ary War, by Alexander Garden, of Lee's Legion, also aid-de-camp to Major-General Greene, I have come across the passage I propose next to quote. Apparently the account of a participant, it relates to one of the very memorable but much disputed topics of the Revolutionary War, — the operations on Long Island, in August, 1776, and Washington's successful withdrawal from Brooklyn as the outcome of those operations. They have often been described. The conclusion drawn therefrom by some is, that both operations and withdrawal reflect great credit on Washington's military capacity; while others have maintained that, caught in a position of his own choosing which could not be justified from any correct military point of view, the American commander owed his escape to the inertness of his opponent, and a curious and quite fortuitous combination of factors.

The following is the description which Garden, certainly a contemporary and probably, as I have said, a participant, gives of the operations referred to:

> Without the affectation of habitually indulging in serious meditation, or contemplating with reverential awe the beneficence of the Deity — without presuming to boast a pious gratitude, to which I can have, when compared with men of more serious temper, but slight pretension, I conscientiously declare, that in no contest that I ever heard, or read of, has the favour and protection of the Almighty, appeared to incline with such preference, and been manifested in such multiplied occurrences, as in the war which separated the United States from the dominion of Great Britain (p. 324). . . .
>
> After the disastrous battle on Long-Island, and the retreat of the American forces within their lines at Brooklyn, there can be but little doubt, but that these might have been carried by assault, had the British General profited by the ardour of his troops, elate with victory, and eager to reap new honours, to lead them to the attack. But, happily for America, he adopted the more prudent plan of seeking superiority by regular approaches, and of waiting the co-operation of the fleet. The situation of the Americans in their camp, was critical in the extreme. A superior enemy in their front, their defences trivial and incomplete, their troops fatigued and discouraged, and the English fleet ready (though previously prevented by a North-East wind) to enter the river, which would preclude the possibility of retreat, and leave them no alternative but

to surrender. General Washington viewed the impending catastrophe, and at once determined to evacuate the position and withdraw to New York. The passage was, in the first instance, prevented by a violent wind from the North-East, and the ebbing tide, which ran with too great violence to be encountered, when fortunately it veered to the North-West, which rendered the passage perfectly secure. But, in a still more miraculous manner the interposition of Providence became manifest. A thick fog involved the whole of Long Island in obscurity, covering the retreat of the American forces, while the air was perfectly clear on the side of New York, and nine thousand men, the artillery, baggage, camp equipage, and munitions of war, were brought off, without loss. The rising sun dispersing the fog, the British saw with astonishment, that the Americans had abandoned their position, and were already beyond the reach of pursuit (pp. 326, 327).

Mr. Garden, whose rank in the Revolutionary Army I have not ascertained,[1] then adds the following footnote, strongly suggestive of certain very similar theological observations and trite reflections which in the succeeding generations emanated from Washington Irving:[2]

A clerical friend to whom I related this interesting fact, made the following reply: "The interposition of Providence in the affairs of nations, has been too often witnessed to be called in question. What you have now stated, will bring forcibly to the mind of every religious reader, the wonderful display of God's Providence to the Israelites in the passage of the Red Sea. The pillar of the cloud went from before their face, and stood behind them: And it came between the camp of the Egyptians and the camp of Israel; and it was a cloud and darkness to them, but it gave light by night to these." But for the interposition of this *cloud* of darkness to the Egyptians, they would have overwhelmed the Israelites upon the sea-shore. And but for the Providential intervention of the *fog* upon Long Island, which was a *cloud* resting on the earth, the American army would have been destroyed, and the hopes of every patriot bosom extinguished, perhaps for ever (p. 327 *n*).

As I have already remarked, this withdrawal of the Patriot army from Brooklyn, across the East River to New York, has commonly been referred to, especially by the "standard"

[1] He served as volunteer aid to General Greene, but had no rank.
[2] *Washington* (Geoffrey Crayon ed.), II. 391.

American authorities, as a feat displaying remarkable military capacity on the part of Washington. Fiske, for instance, becomes enthusiastic over it as a "brilliant incident," displaying "extraordinary skill." [1] On this point I shall have something to say presently. Meanwhile, it cannot be denied that American historical writers have availed themselves to the utmost of the opportunity thus afforded. As Trevelyan truly says (Pt. II. v. I. 292) "it may be doubted whether any great national deliverance, since the passage of the Red Sea, has ever been more loudly acclaimed, or more adequately celebrated." For instance, one, a man himself not without military experience, thus dilates upon it: "The retreat from Brooklyn was a signal achievement, characteristic of Washington's policy and of the men who withdrew under his guidance. . . . their Commander-in-Chief had his own plan, as before Boston, which he did not reveal to his officers until it was ripe for execution." Early on the morning of August 29, orders were issued to General Heath, Quartermaster-General, instructing him "'to impress every craft, on either side of New York, that could be kept afloat, and had either oars, or sails, or could be furnished with them, and to have them all in the East River by dark.' The response to these orders was so promptly made that the boats reached the foot of Brooklyn Heights just at dusk that afternoon." [2]

It is almost needless to say that, from any exact military point of view, this statement is both inaccurate and misleading. Yet Trevelyan repeats it (*Ib.* 287–288), and Fiske dilates upon it (I. 211). Washington was not, however, the utter military simpleton such ill-considered admiration would indicate. He had not put himself and his army into a most dangerous position depending wholly, or in chief, on some suddenly improvised means of extrication. The order to Heath was, it is true, issued, and a certain amount of transportation undoubtedly was collected in obedience to it, and concentrated at the ferry; but the bulk of the means of transfer required was already at the point where it was needed. For weeks Washington had been moving troops, munitions and supplies across the river, — 2000 men, for instance, on the day previous to

[1] *American Revolution*, I. 211, 212.
[2] Carrington, *Washington the Soldier*, 110.

the withdrawal, that following the disastrous Flatbush affair. The transportation thus hurriedly gathered together was, therefore, merely supplementary. The mass of what was required had already long before been provided.

The narrative referred to then proceeds as follows:

From about nine o'clock until nearly midnight, through wind and rain, — company by company, — sometimes grasping hands to keep companionship in the dense gloom, — speechless and silent, so that no sound should alarm the enemy, — feeling their way down the steep steps then leading to Fulton ferry, and feeling their way as they were passed into the waiting water-craft, these drenched and weary men took passage for New York. The wind and tide were so violent that even the seamen soldiers of Massachusetts could not spread a close reefed sail upon a single vessel; and the larger vessels, upon which so much depended, would have been swept to the ocean if once entrusted to the current. For three hours, all the boats that could be thus propelled, had to depend upon muffled oars. The difficulties of such a trip, on such a night, can be realized better by a moment's reflection. There is no record of the size of the waves, or of narrow escapes from upset, no intimation that there was competition in entering the boats and rivalry in choice of place — that each boat-load was landed hastily and that the boats themselves were leaky and unsafe; but any person who proposes to himself an imaginary transit over the East river under their circumstances, can supply the data he may need to appreciate the process.[1]

Rewriting this account for another edition of his work, many years later, the same authority modified it in this wise:

As early as nine o'clock, and within an hour after the "general beat to arms," the movement began, — systematically, steadily, company by company, as orderly as if marching in their own camp. A fearful storm still raged. Drenched and weary, none complained. It was Washington's orders. Often hand-in-hand, to support each other, these men descended the steep, slippery slopes to the water's edge, and seated themselves in silence; while increasing wind and rain, with incessant violence, constantly threatened to flood, or sink, the miserable flat-boats which were to convey them to the city, only a few hundred yards away. And thus until midnight.

[1] Carrington, *Battles of the American Revolution* (3d ed.), 217.

At that hour the wind and tide became so violent that no vessel could carry even a closely reefed sail. The larger vessels, in danger of being swept out to sea, had to be held fast to shore; dashing against each other, and with difficulty kept afloat. Other boats, with muffled oars, were desperately but slowly propelled against the outgoing tide. A few sickly lanterns here and there made movement possible. The invisible presence of the Commander-in-Chief seemed to resolve all dangers and apparent confusion into some pervasive harmony of purpose among officers and men alike, so that neither leaking boats nor driving storm availed to disconcert the silent progress of embarking nearly ten thousand men.

Just after midnight, both wind and tide changed. The storm from the north which had raged thus long, kept the British fleets at their anchorage in the lower bay. At last, with the clearing of the sky and change of wind, the water became smooth, and the craft of all kinds and sizes, loaded to the water's edge, made rapid progress. Meanwhile, strange to relate, a heavy fog rested over the lower bay and island, while the peninsula of New York was under clear starlight.[1]

No authorities are referred to for the somewhat highly wrought statements here so precisely and positively made. I have in vain sought to ascertain even the real weather conditions on the night in question. The author from whose work I have quoted says that the American and British archives and biography are full of contemporaneous data which it would require volumes to quote. As a result of a fairly careful search, in which I have been aided by the present Editor of the Society, I, on the contrary, have been quite unable to find any detailed and reliable meteorological statement of the conditions hour by hour prevailing during the three days of the Brooklyn operations, and, more especially, during the night referred to in the foregoing extract.

The elementary and fundamental facts in the case are simple enough. Washington, misled by his own experience in and about Boston the year previous, and Charles Lee's more recent experience at Fort Moultrie, before Charleston, in June, 1776, — Washington, confident of his ability to protect New York and repel the invader, had put himself and his army in an impossible military position. As Trevelyan very truly observes: "The incurable faultiness of the situation, in which Washing-

[1] *Washington the Soldier* (ed. 1898), 111.

ton had allowed himself to be placed, was painfully visible. He was under the necessity of keeping the halves of his own inferior force separated from each other by an arm of the sea, which the British fleet might at any moment render impassable for his rafts and barges; while Howe, by the aid of that fleet, could throw the whole of his superior strength on any point along the extensive coast-line which encircled the American position." (Pt. II. v. I. 271–272.) Trevelyan, it will be noticed, uses the words "had allowed himself to be placed"; but it would have been more correct to say "had placed himself": for, to his credit be it always said, Washington, manly and straightforward, never in this case tried to shirk responsibility, or, after the disaster inevitably following his faulty strategy had been incurred, endeavored to make it appear that from political considerations or because of the insistence of an unreasonable and exacting Congress voicing a public demand both ignorant and clamorous, he had been forced into a position against which his own better military judgment at the time rebelled. Neither did he seek cover behind the advice of a council of war. On the contrary, the very morrow of the disaster before Brooklyn and the withdrawal to New York, September 2, he frankly wrote to the President of Congress: "Till of late I had no doubt in my own mind of defending this place; nor should I have yet, if the men would do their duty, but this I despair of." None the less, as the result showed, not only the town of New York, but the whole of both Manhattan and Long Islands, under the conditions of the opposing forces, naval and military, not only then were, but from the beginning had been, from any sound point of view, impossible of successful defense. Indeed, any attempt to defend them was a challenging of disaster which might well be complete and final. With a wholly insufficient army, necessarily so divided that one portion could not sustain the other, his enemy, in complete control of the sea, had but to select his point of attack and subsequent line of operations; and to those familiar with that locality, it is still a mystery, why, under cover of the fleet, Howe did not go up the comparatively unobstructed Hudson to Bloomingdale and land about where Sixtieth Street now is, three miles above the outskirts of the New York of that day; and then, crossing a strong division of his army to the East side, sweep

down on Washington, by the Boston road, now Third Avenue, forcing him into the East River. To counteract such a movement it would have been necessary for the Americans precipitately to withdraw their forces from the Brooklyn side of the East River, and concentrate them at the point of British attack. This movement would have consumed much important time if, in presence of a detachment of the British fleet in the East River, practicable at all. The combined British naval and military forces could have effected the manœuvre with certainty and ease, the broadsides of the fleet then covering the Bloomingdale, or Albany road, now Broadway, and demoralizing the flank and rear of the Patriots just as they demoralized and broke the Patriot line of battle a fortnight later at Kips Bay. The weight of attack then being down the East side, the Patriots would have been between two fires. From both the strategic and the tactical points of view the movement was so obvious and its success so certain that the failure of the Howes to adopt it must forever remain unaccountable. They elected, however, to attack Washington squarely on his Brooklyn front, with his army cut in two by the East River and the rear of his engaged force uncovered on the water side. Even that situation was bad enough for the Patriots; in fact could not have been from the military point of view much worse or more ill-considered.

It was now late in August, and in August the prevailing winds on the American Atlantic seaboard are from the south and west; and a south or west wind would carry the British ships with free sheets straight from their Staten Island anchorage up either the North or the East rivers. From Brooklyn's water front they could co-operate with the army's advance from Gravesend. This was the plan of the two Howes — the Admiral and the General; and it was a good and feasible plan. Not so good or so feasible as a combined movement by way of the North River and down by the Boston road, but still a good plan; one with all the chances in its favor. The single possible disturbing factor would be a prolonged storm from the northeast — that most unusual occurrence in latter August. But now again it was the unusual that happened. So far as the land force was concerned, every move was carried out in strict conformity with the programme. Win-

ning by an obvious but fairly skillful flanking operation an easy and complete victory, General Howe pressed the undefeated portion of the Patriot army back under the guns of Lord Howe's fleet, had the fleet been where it was proposed it should be. It was not there; the northeast wind blew in its teeth. One frigate only, better handled than the rest, worked into position, and that single frigate made short work of Washington's flanking battery at Red Bank. The Patriot rear and line of retreat were exposed.

It was now only a question of the continuance of a New York August storm. For Washington and that half of his army which thus found itself cooped up within the lines at Brooklyn, the situation was desperate. As soon as the weather permitted, the British fleet, moving before the wind up the East River, would cut the Patriot army hopelessly in two, while General Howe, assailing the Brooklyn half in front, would drive it under the broadsides of Lord Howe's ships. It was for Washington no case of choice or election; manifestly, there was but one thing to be done. The army must be withdrawn to the mainland, — got out of the hole it was in, if to get it out was possible.

The continuance of the northeast storm was the one essential factor in a successful solution of the problem. Curiously enough, the authorities have little to say on this topic; and what they do assert is generally, where not altogether imaginary, only partially sustained by references. Trevelyan says that on the morning of the 27th, the day of Howe's advance and the battle before Brooklyn, "the sun rose with a red and angry glare." A summer storm was brewing; and the wind, veering to the north from the east, must have been strong, for Lord Howe reports that "the ships could not be worked up to the distance proposed." Though the historians are silent on the point, it was probably a knowledge of this fact and the consequent failure of the proposed naval co-operation, which caused General Howe to desist from following up his early success. Never to follow up a success on the field energetically was characteristic with him, — he failed so to do at Bunker Hill, on Manhattan Island and in New Jersey, and again at Brandywine and during the Valley Forge winter; but on Long Island he could hardly have helped so doing had he

heard his brother's guns in the East River. He must then have gone forward, and finished up the job. All that day (27th) the storm seems to have been gathering. The next day we know it blew and rained; but while the rain interfered with the work in the trenches and kept the soldiers in their huts, the sea was not so rough as to interfere with the operation of the ferry, or prevent the transfer of two thousand of Washington's army from the New York side to the Brooklyn lines. Why, after the disaster of the previous day and the fact, now become manifest, that only the uncertain prevalence of a northeast storm prevented the British army and navy combined from cutting Washington's army in two, and impounding him and the bulk of it in narrow and segregated limits, — why this now obvious fact had not forced itself on Washington's notice, is neither disclosed nor discussed. But, as an historical fact, reinforcements were hurried over. The bringing them over was an inexplicable mistake; they were simply so many more to get back again, or to be made prisoners when the wind worked into the west, — to-morrow, perhaps; certainly within a few days. The atmospheric conditions this day (28th) seem to have culminated; for in the afternoon "a great rain and hail storm came on, attended with thunder and lightning." By the morning of the 29th the quite abnormal conditions seem to have worn themselves out; "a dense fog covered land and sea," consequently there could have been no heavy rain nor driving wind. This seems to have continued pretty much all that day, necessarily holding Lord Howe's ships at their anchorage. Co-operation by land and sea was not yet possible; so General Howe waited. The succeeding night Washington got away.

During that night what weather conditions prevailed? On this interesting topic the historians are curiously at odds among themselves. On no single point do they seem to agree; not even on the one astronomically ascertainable point, the age of the moon, and the consequent luminous character of the atmosphere. One writer, already cited, says it was so pitchy dark that the men had to feel their way down to the ferry and into the boats; another says (Fiske, I. 212) that "during the night the moon shone brightly." But a third (Bancroft, v. 336) comes with the assertion that, though it was the night of the

full moon, these moonlit hours were marked by "a heavy rain and continued adverse wind." According to a fourth authority (Irving, *Washington*, II. 389, 390) "there was a strong wind from the north-east," but a "dense fog prevailed"; a most improbable meteorological combination, considering that "the atmosphere was clear on the New York side of the river." We are then informed that the strong "adverse wind" most opportunely died away and a "favoring breeze," from the opposite direction "sprang up." Not without reason is it declared that these somewhat surprising and altogether conflicting conditions "seemed almost providential." If they ever actually occurred, as is altogether improbable, they were distinctly and indisputably providential. Nothing at all resembling them is to be found in the prosaic records of the modern weather bureau; the single authenticated precedent is biblical.

Putting aside this fantastic combination — Egyptian darkness in a night of the full moon, a dense fog prevailing in the face of a driving tempest, a drenching rain on one side of a narrow river with a starlit sky on the other, a favoring breeze following immediately on the dying away of an adverse wind — putting all this aside, is it possible to ascertain the real state of the weather during the night of August 29–30, 1777? One fact is scientifically demonstrable. It was the night of the full moon.[1] The two days' storm — an August northeaster — had culminated with thunder, lightning and hail on the 28th. The conditions then apparently prevailed which ordinarily attend the dying out of a late summer storm, and which precede a change to seasonable weather. The day of the 29th was foggy and chill, with a light draft of air from the north and east. The co-operative movement on the part of Admiral Lord Howe was still delayed, inasmuch as ships leaving their anchorage drifted, not having a sufficiency of wind to enable them to stem the tide; at times the mist lifted, and at times thickened. Later the night was still, the water quiet, the atmos-

[1] This point was, at the request of the writer of the present paper, referred for settlement to Professor Pickering of the Harvard University Observatory. Under date of December 5, 1910, Professor Pickering replied:

"The full moon occurred on August 28, 1776, at 19h. 59m. As this is Greenwich astronomical time, the corresponding civil date at Greenwich was 7h. 59m. of the morning of August 29. At Boston the local civil time would have been about 4h. 44m. earlier."

phere luminous; a fog settled on the bay towards morning; every atmospheric condition aided the Patriots, and, at the proper stage of the tide, the boats passed to and fro, favored by a light west breeze, and loaded to the gunwale. Not a single case of swamping or collision was recorded, or is known to have occurred. Not a boat upset; not a life was lost. These facts are under the conditions given conclusive as to the absence of wind, the quietude of the water, and the luminous character of the atmosphere.

I confess myself unable to find in the movement, as a military operation, anything beyond an exceeding measure of pure good luck. That Washington bore himself courageously and with great outward calmness in presence of imminent danger, does not admit of question. On the other hand, divested of all gush, patriotism, hero worship and rhetoric generally, the cold historical truth would seem to be that, aided by a most happy fortuitous concurrence of circumstances and the extreme supineness of his opponents, he on this occasion, keeping his head under trying conditions and taking advantage of all the resources at his command, extricated himself and his army, at a most critical juncture, from an inherently false position into which neither he nor they ever should have either put themselves, or allowed themselves to be put. As respects skill, discipline or careful organization of movement, if they were markedly in evidence the fact nowhere appears in the record. That the British commanders, both military and naval, made the transfer possible, and facilitated it in every conceivable way, is indisputable. They evinced neither enterprise nor alertness. No patrol boats lurked in the fog which overhung the harbor, veiling their whereabouts from the land batteries; the opposing lines were not pried into by inquisitive or adventurous pickets. Even a negro, despatched by a female Tory sympathizer, one Mrs. Rapalye, to warn the British of the withdrawal in progress, fell into the hands of a Hessian picket who, unable to make anything out of what he said to them, retained him till morning;[1] a striking instance, those of the Weems school would probably claim, of Washington's remarkable sagacity and prescience. On the other hand, that the "speechless and silent" embarkation which nothing availed to disconcert was in fact marked by

[1] Irving, *Washington*, II. 390.

much confusion, is established on the best possible authority — that of Washington himself. (Trevelyan, Pt. II. v. I. 289 *n.*) It is even stated that the lack of discipline was such that men absolutely tried to climb over each other's shoulders the sooner to reach the boats. In the matter of transfer the boats themselves, meanwhile, were handled by perhaps as skillful a lot of men as could anywhere have been found, — Glover's regiment of Marblehead fishermen. Even in that detail of the affair — a very essential detail — Washington's luck — our historians again call it sagacity and prescience — was phenomenal.

But, finally, to those practically experienced in warfare, the glory achieved by successful retreat and the extricating of an army from imminent danger of destruction is always more or less open to question. Neither have these been features of warfare in which the greatest commanders have conspicuously distinguished themselves. Take Napoleon, for instance. His fame is, so far as I am informed, associated with three retreats only: — that from Russia, in 1812; that after the battle of Leipsic, in 1813; and that from Waterloo, in 1815. In each case, however, he left his army behind him. Great as he unquestionably was, every time he personally got away first. It so chances, however, that I myself have in a small way not been without a certain degree of experience and means of observation in the case of operations of this sort. One in particular I recall which has an even historic interest. It was in connection with a withdrawal hardly less critical than that of Washington from Brooklyn; the withdrawal, I mean, of the Army of the Potomac by Burnside after his unsuccessful assault upon Lee's lines at Fredericksburg, in December, 1862. Personally I at the time had some most direct information as to the closing incident of that episode.

When the rear of the army was withdrawn from the Fredericksburg side of the Rappahannock, during the night of December 15, it devolved on Sykes's Division of the Fifth Corps to cover the withdrawal. One brigade of that division was known as the Regular Brigade, being wholly composed of certain regiments of the United States army. This brigade was at that time commanded by a relative of my father, on the mother's side, Colonel Robert C. Buchanan, as he then was,

of the Fourth Infantry.[1] The duty of bringing up the rear, driving in the stragglers, and finally taking up the pontoons was devolved on this brigade, as being composed of material of unquestionably reliable character. A few days later, returning one day with my regiment from picket, I chanced to pass the camp of this brigade, and, consequently, the headquarters of Colonel Buchanan. Obtaining permission to leave the column, I rode over to Colonel Buchanan's tent, and was fortunate enough there to find him. Our relations were of a more than friendly character; and, giving me a warm welcome, he invited me to sit down and partake of camp hospitality. I did so, and we were soon engaged in what was to me a very interesting talk. Naturally, it turned on the ordeal of a few days before. Colonel Buchanan was an old friend and comrade of General Lee. Together at West Point, they had, in subsequent army life, known each other intimately. Each held the other in high respect. In the course of conversation, I said, "But, Colonel, I cannot understand how in the world you managed to get out of that scrape. I am unable to see why it was that the enemy permitted you to get away. You were right under their guns; why did they not destroy you?" The answer was emphatic and immediate. In it there was no recourse to the "providential," no pretence of professional skill, no savor of self-glorification. It was the response of an old soldier. Though listened to hard on fifty years ago, I have never forgotten it. Letting his hand drop on the table between us, Colonel Buchanan emphatically replied: "I can tell you, Charles, how we got off. It was plain enough. We got off simply because Bob Lee did not believe that any one ever could have been damned fool enough to put an army in such a position!"

The explanation thus given was in familiar talk, and may not have been couched in terms of strict deference to those superior in rank. Nevertheless, I have always been disposed to believe that it expressed the real facts of that particular case. General Lee had permitted the withdrawal of the Union army simply because he did not realize and take advantage of all the opportunities then through incompetence offered him.

[1] 1 *Records of the Rebellion*, XXI. 145.

So in August, 1777, at Brooklyn, Sir William Howe and Admiral Lord Howe permitted their opponent to get away.

Again, the historians of the school under consideration never weary of expatiating upon Washington's "Fabian tactics," as they are termed, the profound wisdom thereof, and the unreasonable nature of any restiveness evinced thereat by the Congress. In point of fact, this is, I submit, an entire and altogether mistaken assumption. That it is traditional and accepted is indisputable; but will it bear criticism and analysis? Does not our Revolutionary history in this respect also need to be revised and rewritten? During the first three years of his command, that is, from June 1775 to June 1778 inclusive — or from Bunker Hill to Monmouth and the withdrawal of the British to the New York lines — no strategy or tactics could well have been less Fabian in character than those pursued by Washington. In the autumn of 1776 he most rashly offered battle time after time on both Long Island and Manhattan; he held position after position, like Forts Washington and Lee, not only after they had become untenable but, from any military point of view, after they had ceased to be of value. So also in the following year, he most unnecessarily challenged defeat on the Brandywine, and attacked aggressively at Germantown. Finally, the year following (1778) he was at Monmouth the vigorous assailant of a withdrawing enemy, only anxious to get away. To characterize such a strategy and tactics as Fabian is indicative of complete misconception both of terms and operations; they are the reverse of Fabian.

Take, for instance, the campaign just under consideration — that about New York in 1776. New York, as already pointed out, was not defensible. Yet Washington, trying to defend it, and confident of his ability so to do, adhered to a mistaken policy to the bitter end; and, by so doing, either lost his army or sacrificed its defensive efficiency. All this assuredly was not Fabian. The truly Fabian policy to be pursued at that time and under those conditions was obvious, and in every respect different. Severe and cruel in application, but efficacious, it was the exact policy subsequently adopted by Wellington when, in October, 1810, devastating all the region the defense of which he abandoned, he withdrew before Massena within the famous lines of Torres Vedras. The very policy thus thirty-four years

later ruthlessly enforced in Portugal, was now clearly and forcibly outlined by John Jay for adoption in New York. Writing to Edward Rutledge, of the Board of War, and Gouverneur Morris, chairman of a special committee, he said:

> I wish our army well stationed in the Highlands, and all the lower country desolated; we might then bid defiance to all the further efforts of the enemy in that quarter. Had I been vested with absolute power in this State, I have often said, and still think, that I would last spring have desolated all Long Island, Staten Island, the city and county of New York, and all that part of the county of Westchester which lies below the mountains. I would then have stationed the main body of the army in the mountains on the east, and eight or ten thousand men in the Highlands on the west side of the river. I would have directed the river at Fort Montgomery, which is nearly at the southern extremity of the mountains, to be so shallowed as to afford only depth sufficient for an Albany sloop, and all the southern passes and defiles in the mountains to be strongly fortified. . . . According to this plan of defense the State would be absolutely impregnable against all the world, on the seaside, and would have nothing to fear except from the way of the lake. Should the enemy gain the river, even below the mountains, I think I foresee that a retreat would become necessary, and I can't forbear wishing that a desire of saving a few acres may not lead us into difficulties.[1]

A policy such as this was not only Fabian but Wellingtonian. The policy actually pursued was neither. As Charles Lee at this time impatiently as well as despairingly wrote: "For my part, I would have nothing to do with the islands to which you have been clinging so pertinaciously. I would give Mr. Howe a fee-simple of them."[2]

"Mr. Howe's" successor in command, Sir Henry Clinton, subsequently held those islands in strategic "fee simple" from after Monmouth (June, 1778) until, three years later, Washington broke camp at Tarrytown (August, 1781) to march his now solidified army to Yorktown. During these three years his tactics had been "Fabian"; exactly those outlined and counselled by Jay in 1776, and which at that time Washington did not adopt.

For Mr. WINTHROP extracts were read of a letter dated August 20, 1775, from General Washington to Lund Wash-

[1] Irving, *Washington*, II. 433. [2] *Ib.* II. 443.

ington, reflecting severely upon the conduct of certain officers in the battle of Bunker Hill.[1]

Mr. STIMSON, commenting upon the increasing forgetfulness of the story of Sir Harry Frankland, said:

I am interested in the matter because Lady Frankland's only nephew and heir, one Isaac Surriage, married Sarah Stimson, my great-grandaunt, and when Lady Frankland went through Washington's lines at the time of the siege of Boston to sail for England, not to return, the house and place passed into the possession of Surriage and later of George Stimson. His eldest son, the first Dr. Jeremy Stimson, kept the homestead, but the six younger brothers with their father moved to settle the towns of Wyndham and Ashland in the Catskill country of New York. Drake, in his history of Middlesex County, records that only Jeremy Stimson and Isaac Surriage voted for the Federalist candidate in Hopkinton about the year 1800. The town of Ashland was set out from Hopkinton about fifty years ago, so that the old Frankland estate lies now partly in both towns. Dr. Jeremy Stimson of Dedham (Harvard, 1804) was born in the house, and having lived to be eighty-six years old, related many of the tales about it to the writer. A good deal of the story is to be found in Mrs. Stowe's novel *Oldtown Folks*, but she mistakes the house for the so-called Dench house. The true house was destroyed by fire.

Sarah Surriage died young of the smallpox, and had a lonely marble monument in the forest; but there are two private cemeteries, one in Hopkinton and one in Ashland, with the tombs and monuments of the other members of the family. Bronze plates have recently been supplied and dedicated by the town to the memory of those of them who were colonels or soldiers in the war of the Revolution and the Colonial wars. After the Stimson family had all left Hopkinton, the estate passed through many hands. First, I think, to the Rev. Elias Nason, who wrote the history of Hopkinton, and from whom some of my facts are derived; then to the Mellen family; and the modern tenement now on the site of the old mansion on the top of Magunco Hill is now occupied by Armenians.

[1] This letter is printed in Ford, *Correspondence and Journals of Samuel Blachley Webb*, I. 92. The original is in the Emmet MSS. in the New York Public Library.

My great-grandfather, the first Dr. Jeremy Stimson, wrote a historical and geographical account of Hopkinton which was published in the fourth volume of the Collections of the Massachusetts Historical Society,[1] and I have in my possession a diary kept by Dr. Stimson while a surgeon in the army under Washington, in the campaign about New York.

One wishes that one could add that Lady Frankland was married to Sir Harry before the earthquake in Lisbon, but such is not the tradition of the family here.[2]

Mr. FORD submitted the following note:

In Morton's account of his being shipped to England (*New English Canaan*, Prince Society, 336, 342) he speaks of a "Mr. Weathercock, a proper Mariner," who came unexpectedly in the depth of winter, when all ships were gone out of the land. "Hee would doe any office for the brethren, if they (who hee knew had a strong purse, and his conscience waited on the strings of it, if all the zeale hee had) would beare him out in it; which they professed they would. Hee undertakes to ridd them of mine Host [Morton] by one meanes or another." As a consequence Morton was shipped with Mr. Weathercock.

It is known that an effort had been made in September to induce Captain Brook of the *Gift* to take him to England, "but he professed he was not *gifted* that way, nor his ship neither, for such a purpose, as not willing to trouble himself nor his country with such vagabonds, from which they had been happily freed for some years before."[3] Dudley says that Morton was sent out in the *Handmaid*, in December, 1630. The *Handmaid* reached Plymouth October 29, after having been twelve weeks at sea, and spent all her masts. On November 11 she went to Boston, "with Captain Standish and two gentlemen passengers, who came to plant here, but having no testimony, we would not receive them." Such is Winthrop's entry, and from him we learn the master's name, John Grant. This was the "Mr. Weathercock" of the *New English Canaan*.

[1] 1 *Collections*, IV. 15.

[2] A fuller account is to be found in a communication by Mr. Stimson to the *New York Times*, December 3, 1910.

[3] Hubbard, *History*, 137.

Morton states the captain was given letters of credence to those in England for his taking so undesirable a passenger, and makes much caustic sport of the captain because of the short provisioning of the ship for the home voyage. The vessel was a wretched one even for that day. In the voyage to America twelve weeks had been consumed, and more than one third of the twenty-eight heifers had perished. The return voyage, made in winter, was even longer, though it is difficult to believe what Morton says, that "nine moneths they made a shifte to use her." He describes how they "sailed from place to place, from Iland to Iland, in a pittiful wether beaten ship, where mine Host was in more dainger, (without all question,) then Ionas, when hee was in the Whales belly; and it was the great mercy of God that they had not all perished." And again he says: "the vessell was a very slugg, and so unserviceable that the Master called a counsell of all the company in generall, to have theire opinions which way to goe and how to beare the helme, who all under their hand affirmed the shipp to be unserviceable: so that, in fine, the Master and men and all were at their wits end about it." As it was they were obliged to keep the carpenters at searching for leaks and caulking her sides. At last the ship reached Plymouth Road, and Morton, having escaped, as he thought, from even greater dangers than mere hunger or shipwreck, proceeded to instruct Mr. Weathercock upon his intentions against the Plymouth plantation. He told Grant to say to the Separatists, "that they would be made in due time to repent those malitious practises, and so would hee [Grant] too; for he was a Seperatist amongst the Seperatists, as farre as his wit would give him leave; though when hee came in Company of basket makers, hee would doe his indevoure to make them pinne the basket, if he could, as I have seene him."

The *Handmaid* had some beaver skins on board, doubtless some consigned by the Plymouth partners to their colleagues in London. Morton is severe on Grant for not having exchanged some of this beaver for provisions.

True to his threat Morton sought revenge upon the captain. "If John Grant had not betaken him to flight, I had taught him to sing clamavi in the Fleet before this time, and if he return before I depart, he will pay dear for his presumption.

For here he finds me a second Perseus; I have uncased Medusa's head, and struck the brethren into astonishment." [1] The "flight" of the captain was proof that he had gained by the letters in his favor, and had advanced in the confidence of the Company. In June, 1632, he entered Massachusetts Bay, from London, in command of the *James*, a vessel capable of making the journey in eight weeks. He brought letters, and also a "waved sword," a present from John Humfrey to the younger Winthrop,[2] by John Greene, a passenger in the ship. The passage had been severe on the cattle, as Winthrop says she brought sixty-one heifers, and lost forty.[3] Again in the same ship, he reached Salem, October 10, 1633, eight weeks out from Gravesend, and apparently on his way to Virginia.[4] In August, 1635, he sailed in the *Safety* for Virginia.[5]

Mr. Ford made the following statement in connection with an Indian deed completing the Nauset purchase, one of the three tracts reserved by the "purchasers" or old comers at Plymouth, in 1640–41:

Freeman states that in its original bounds Eastham (Nauset) contained a territory of fifteen miles in length by two and one half in breadth, having the Atlantic Ocean on the east, Barnstable Bay and Namskaket (Brewster) on the west, the herring brook of Billingsgate (Truro) on the north, and Monamoyick (Chatham) on the south. The document now printed from the original manuscript in the Society's collection (*Miscellaneous Papers*, I. 1628–1691, f. 43) appears to cover the original grant, and is doubtless the final settlement of the Indian claim, of which Freeman had no evidence. Some of the names of the localities are still to be found on the map, such as Boat Meadow Creek, Great Beach Hill, Lieutenant Island, Billingsgate Island, Bound Brook and Indian Neck; Poche is now Pochet, applying to a Neck and an island of the name, and Keskagonsett is Kaseagogansett, the name of a pond in Orleans. But the document gives some Indian names also, of which no other records seem to have been preserved.

Bee it knowne to all men to whom these presents shall come that wee whose names are vnderwritten doe freely acknowl-

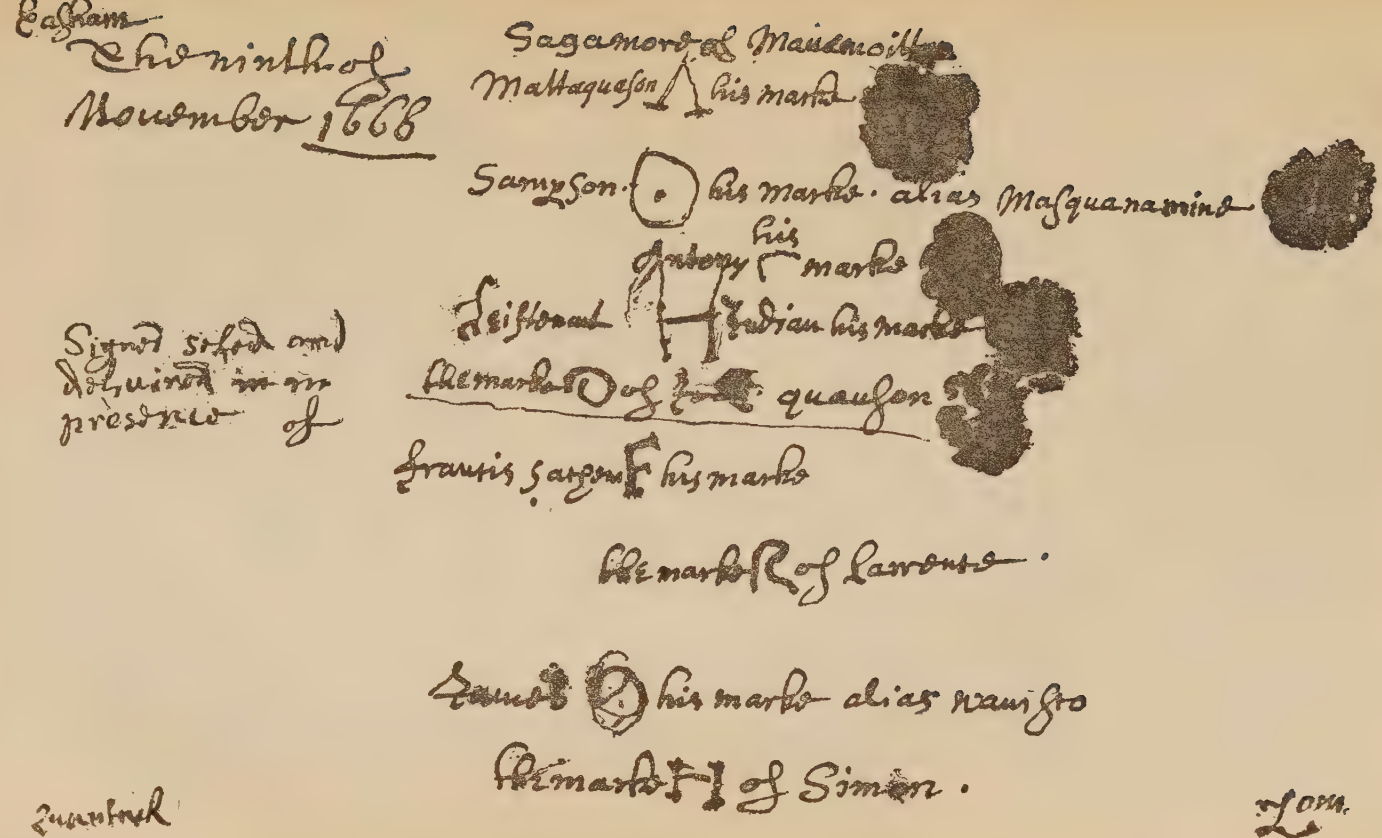
[1] Winthrop, *History*, II. 234. [2] 3 *Collections*, IX. 245. [3] *History*, I. 94.
[4] *Ib.* 137. [5] Hotten, *List of Emigrants to America*, 121.

edge that wee haue giuen bargained and sold vnto Mr. William Bradford Mr Thomas Prence and the rest of the purchasers of Nausett these seuerall tracts of lands and are in hand payd by seuerall payments and in seuerall kinds: viz: in Mouseskinne Indian Coates Wampum kettles knives etc. the land sold and giuen to the purchasers of Easham by Mattaquasson,[1] with the consent of Natnaught Namanamocke Jeffery Ammanuitt pompmo with other of the auncient Indians was all Poche and the three Islands next adioyning. As also Poche Island and the great Beachs with the lands on the west side of the Downe: beginning at the little Brooke called by the Indians Mamusqumkaett on the westerne side of Namscakett and so to Onoscotist called by the English the boate meddow and all the lands from the aforesaid little Brooke within a straight line from a marked tree at the head of Namscakett to the southermost part of the brooke that runes out of the pond to Keskagonsett and so to the bay. Oquomehod[2] Georges father Namanamocke Jeffery Amanuitt Mr John with the consent of George and the rest of the auncient Indians Natnaught pompmo etc gaue and sold from Onoscotist all the lands from William Meniches as farre as Nausett Sampson sold from Georges land to the Leiftenants land[3] at great Billinsgate. Leiftennant Antony hath also sold all the lands from Sampsons bound to a little Brooke called by the Indians

[1] Mattaquason, Sachem of Monomoyet, had a son, John Quason. *Plymouth Col. Rec.*, IV. 64. He signs the paper as Sagamore.

[2] This is undoubtedly the first signer of the submission of the Indians to King James at New Plymouth, September 13, 1621. The name is there spelled Ohquamehud, and Drake says he was a Wampanoag, but gives no authority. He may have been a vassal of Massasoit, but this deed would place him on the cape, and among the Nauset Indians. The submission, which is printed in Morton, *New England's Memoriall*, 129, was the only known occurrence of the name before the discovery of this Nauset document. Pratt says that George was "probably the immediate successor of Aspinet," who was sachem of Nauset when young Billington was rescued in 1621. Mourt (Dexter), 112; Pratt, *History of Eastham*, 11.

[3] The Lieutenants land is probably that owned by the Indian of that name, who signs this document with a mark. Lieutenant Joseph Rogers, in 1658, with the approbation of Governor Prence, "hath purchased of the Potonumaquatt Indians," namely Pompmo, the right propriator of those lands, as also Francis, the sachem to whom the said Pompmo gaue a portion of meddow land at Potonumaquatt, two small portions of meddow, one called Aquaquesett, being about five acres, more or lesse, and another smale parcell at a place called Mattahquesett, being about an acre and an halfe." *Plymouth Col. Rec.*, III. 142. A grant of one hundred acres of upland at Pottamumaquate Neck, and six acres of meadow thereabouts, was made in 1666 to John Done. *Ib.* IV. 131.


Eastham
the ninth of
November 1666
Sagamore of Mauanoitt
Mattaqueson his marke
Samyson his marke alias Masquanamino
Antony his marke
Deiftonal Indian his marke
the marke of Iaquason
Signed sealed and
deliuered in ye
presence of
Francis Sargent his marke
the marke of Laurence
Iames his marke alias wampato
the marke of Simon
Quantuck
Lom.

Sapoconist by the English Bound Brooke only reserving a small necke to him selfe called Tuttammist according to there agreement with Mr. Thomas Prence.

Easham the ninth of Nouember, 1666.	Sagamore of Manemoitt MATTAQUASON X SAMPSON X *alias* MASQUANAMINE.[1] ANTONY X LEIFTENANT X Indian QUASON X
Signed sealed and deliuered in presence of	FRANCIS Sachem X[2] LAWRENCE X JAMES X *alias* WANISCO SIMON X[3]

On the reverse of the first page Morton has written: "This writing is Recorded according to order per me Nath: Morton Secretary to the Courte for the Jurisdiction of New Plymouth see Great Booke of Euidence of Land enroled, folio 28."

Mr. NORCROSS, from his collection, contributed the following letter of Cotton Mather:

To BENJAMIN COLMAN.

SIR, — Your *Saurin*,[4] on whom I could not, until very Lately fall to pillaging, returns with my hearty thanks for the Loan.

When I fell upon the pillage I found a very considerable part of his most valuable Treasures, already Lodged in our BIBLIA AMERICANA.

Some he has afforded me.

But you shall allow me the Vanity to declare, That if you do not find entred on the one Book of *Genesis* alone, in that Amassment more than ten times the rich Entertainments there are in *Saurin* on the whole Pentateuch, I will, yea, I will venture to declare (Suffer

[1] He is mentioned in *Plymouth Colony Records*, XII. 236, 237.

[2] There was one Francis, sachem of Nausett in 1662, who witnessed the submission of Philip, and fell under the colony's displeasure in 1668, "for his vnciuill and inhumaine words and carriages to Captaine Allin when hee was cast away on Cape Cod." *Ib.* 26, 179; XII. 236. His Indian name is not known.

[3] See facsimile of signatures, p. 259.

[4] Jacques Saurin (1677–1730) was born in France, studied in Geneva, and became in 1701 pastor of the Walloon church in London. He afterwards removed to the Hague, where he preached for twenty-five years. The work referred to is probably his *Discourses, Historical, Theological, and Moral, on the Principal Events of the Old and New Testaments.*

such a Fool!) The Church of God has never yett seen such an Amassment of the finer Illustrations on the sacred Oracles. Thus has a Sovereign and Gracious God favoured the Meanest of Men.

To be pouring in upon the scholars at your Colledge, those Treasures (not once a Month, or a Week, but) with a profusion of more than six hundred Exercises in a year, would be a thing so worthy of your *Præsident*, that if I should Live to see the man, I should with pleasure offer him the stock to subsist upon.

Especially, if it should be the person, whom I wrote a Letter to Judge Davenport once to gett the post assigned unto, and who needs them the Least of any among us.

However qualified you might think me, on the account of these Treasures, (for I know, you can't on any other Account) for to be the man, I do with the greatest Acquiescence and Gratitude, approve the Declaration of your Sentiments to all the Country, that I am on other Accounts utterly Disqualified. Yea, for Erudition too, as well as Capacity and Activity for Management, (tho', whether for the Third Qualification, which with the Two former, you conscienciously go by, that is, Fidelity to the Interests of Religion and the Churches, I should own myself Inferiour to any, I cannot say so well) you have already mett with one superiour to me, and may easily Light on many more.[1]

And though I am aware of the Talk about the Country on this occasion, sufficiently to my Disadvantage (whereof I should be more stupid, than even they who have the most diminutive Thoughts of me can imagine me, if I were not sensible!) yett I do with all possible Sincerity thank you for the Inexpressible Ease you have given to, Sir, your obliged Brother and Serv't

Co. Mather.

Nov. 6, 1724.

Dr. Green said that some years ago, on June 3, 1903, Mr. Hunnewell placed in his hands a sealed envelope with the request that it should not be opened during his lifetime. This wish of course was respected, and it was not opened till after his funeral. It contained a printed sketch of his life, of which the number was limited to twenty copies.

Dr. Green also spoke of the great mortality that had taken place very recently in the list of Resident Members of this Society: first, Morton Dexter, who died on October 29; then Josiah P. Quincy, on October 31; and lastly James F. Hunne-

[1] Mather's ambition to become president of the College was well known to his contemporaries. On May 3, 1724, the office became vacant by the death of John Leverett. On July 7, 1725, his successor, Benjamin Wadsworth, entered into office.

well, on November 11, three deaths in less than a fortnight. We are tempted to exclaim with the poet:

> Insatiate archer! could not one suffice?
> Thy shaft flew thrice: and thrice my peace was slain.

There are three other groups of great mortality in the list of membership, and they have all occurred since my connection with the Society during the last half-century, as follows: Luther V. Bell, who died on February 11, 1862, William Appleton, on February 15, and Cornelius C. Felton, on February 26; Caleb Cushing, who died on January 2, 1879, William G. Brooks, on January 6, and Jacob Bigelow on January 10; and Richard H. Dana, who died on January 6, 1882, Delano A. Goddard, on January 11, and Alexander H. Bullock, on January 17.

Dr. GREEN made the following remarks:

At the October meeting of this Society I communicated, in behalf of Miss Harriet Elizabeth Freeman, a diary kept by Joseph Emerson, Jr., a naval chaplain in the expedition against Louisburg in 1745. In the remarks then made I said that I had been told there were still other diaries by Mr. Emerson in existence, which statement is partially borne out by the gift of another record to the Library. The present one is given by Mrs. Caroline (Howe), wife of Dr. Joseph Berthelet Heald, of Boston, eldest daughter of the late Dr. James Seth Nason Howe, of Pepperell, and a granddaughter of the Reverend James Howe, who followed Mr. Emerson as minister, though not as his immediate successor. The diary covers a period of time running from August 1, 1748, to April 9, 1749, and gives many interesting details in the daily life of a country minister. It was the wont of Mr. Emerson, when in his journeys he tarried at a place over night, to stay at the house of a brother minister. This was prompted in part by economical and in part by social or personal reasons. It was known by tradition that this diary, and perhaps others, had been in existence, but it was supposed that they had been irretrievably lost. The record here printed was found many years ago by the late Dr. Howe in the garret of the old Emerson house at Pepperell. It was then in a large collection of sermons written by Mr. Emerson, together with other papers. Thus it was rescued, and barely escaped with the skin of its teeth. Even since

that time it disappeared again for some years, though more recently it has come to light; and now by cold type and help of the printer's art it is placed beyond the contingency of a similar accident.

Mr. Emerson's entries in regard to the daughter of the Reverend Jonathan Edwards, of Northampton, show that the diarist was a person of strong sensibilities, and that he had his share of the feelings common to human nature. Several entries in the diary bear witness that the young minister was badly smitten with the charms of Miss Esther Edwards, a girl who not long before had reached her *teens*. In several places Mr. Emerson speaks of her as Mrs. Esther Edwards or Mrs. Esther. In early times it was the custom to address ladies of high social position as Mistress or Mrs., without regard to their marital condition. A few years later she married Aaron Burr, a man considerably her senior in age, who was then President of the College of New Jersey, now known as Princeton University. She became the mother of Aaron Burr, third Vice-President of the United States. From all accounts she was a woman of great attractions and many accomplishments, as naturally she might be both by heredity and environment. Her father was the most distinguished metaphysician of his time.

JOSEPH EMERSON'S DIARY, 1748–1749.

August Mun 1 I visited 6 Families Stephen Halls Daniel Rolfe, James Lawrences, Benj'n Martins, James Greens, Thomas Williams.

tues 2 I studied A: M: afternoon I went a fishing.

wen 3 I went to Harvard, preached Mr. Seccombs[1] Lecture from John 4. 42. Brother Emerson with me, we went over to Bolton lodged at Dr. Greenleafs.[2]

thu 4 we returned home.

frid 5 I read some and studied chief of the Day.

Sat 6 I Studied chief of the Day.

Sab 7 preached all Day from *what is a Man profited, if he gain.*

[1] John Seccombe (H. C., 1728).
[2] Daniel Greenleaf (H. C., 1699).

mun 8 I visited 8 Families Isaac Williams, Elias Eliot, Eben: Gilson, Daniel Rolfe, Eben: Pierce, Nathan Hall, Will Warner, Widow Saunders. the Wife of Eb: Gilson is runing very *wild*, full of Enthusiasm.

tues 9 I went up to Lunenburg lodged at Mr. *Stearns*.[1]

wen 10 I rid over in the morning to *Leominster* in Company with Mr. *Downe*[2] the schoolmaster of Lunenburg returned to Mr. Stearns to Dinner, and home at Night.

thur 11 I studied chief of the Day.

fri 12 Studied forenoon, went up to Holles[3] afternoon preached Brother Emerson Lecture from Isa: 12. 3. returned.

Sat 13 Studied all Day.

Sab 14 preached all Day from Mat: 5. 4. *blessed are they who mourn for they shall be comforted.*

Mun 15 I visited 3 Families Sam'll Fisk, Phinehas Chamberlin Deacon Lawrence. afternoon I went down to Groton and lodged at Mr. Trowbridge.[4]

tues 16 after making a visit and doing some Business I returned to my Lodging before noon. afternoon entertain Company.

wen 17 Studied some. cut stalks for my Landlord part of the Day.

thu 18 Studied all Day.

frid 19 Studied forenoon, afternoon private meeting at my lodging. I read a sermon of my Father's from *wisdom is of all her children*.[5]

Sat 20 Studied all Day.

Sab 21 A: M: preached from *Blessed are they who mourn* &c P: M: from Lam: 3. 44. *thou hast covered thyself with a cloud that our prayer should not pass thro'*.

mun 22 I visited 6 Families James Colburn, and his son, Will'm Blood, Benj. Swallow, Josiah Tucker, Josiah Lawrence, and so finished my pastoral *Visits* for this *Year*.

[1] David Stearns (H. C., 1728).

[2] Probably William Downe (H. C., 1738).

[3] In the New Hampshire Laws, published as late as 1815, the name of the town is spelt *Holles*. Before the Revolution the word was always written that way.

[4] Caleb Trowbridge (H. C., 1710).

[5] *Wisdom is Justified of all her Children*, a Sermon in Boston, August 26, 1742. Boston, 1742.

tues 23 I went over to *Lancaster* lodged at Capt [Abijah] *Willards.*

wen 24 Returned *Home* at Night.

thurs 25 I studied all Day. I now have finished my 24th *Year* and entered upon my 25th may I do more for God this *Year* than ever I *did.*

frid 26 Studied *forenoon,* afternoon discoursed with two persons who are about to joyn the chh. and one who seems to be under very strong *Convictions.*

Sat 27 Studied very hard all Day.

Sab 28 I preached all Day from *the whole need not the physician but they that are sick.*

mun 29 I visited two sick persons who were prayed for Yesterday and conversed with two persons who are about owning the covenant.

tues 30 I went up to *Holles.* heard of the sorrowful News of two of my parish quarreling last Night, one wounding the other with a knife as some are ready to fear dangerous.

wen 31 I studied some at Brother Emerson's and returned went down to look of my workmen who are now building my Chimney.

September thurs 1 I studied chief of the Day conversed with a Person about his Soul. Visited a sick *woman.*

frid 2 Studied forenoon, Lecture afternoon Mr. Secomb preached on *Pauls* conversion. I was obliged to put by the *Sacrament,* for we could not obtain *wine.*

Sat 3 I went out in order to settle some affair of my own, and visited a man who has received a wound in a quarrel with his Neighbor.

Sab 4 I preached all Day from *my Sheep hear my voice and I know 'em and they follow me.*

mun 5 Stopt from seting out in my Journey by the Rain, which was merciful & most plentiful we have had for a year past.

tues 6 Sat out for *Connecticut* in company with Peter Powers of Holles in order to go to Newhaven Commencement we stoped at Mr. Trowbridges a little while and then rid over to Lancaster Stoped at Capt. [Abijah] Willards and took a mouthful and arrived at Mr. *Curtis's* at Worcester a little after Nine at Night we mist our way and about half a mile but comfortably found it again.

wen 7 I tarried all the forenoon at Mr. Curtis's and dined afternoon went over to Mr. Goodwin about two mile. *Peter Powers* went over to Shrewsbuary to see some *Friends*; I lodged at Mr Goodwins. much refreshed with the sight of Worcester Friends.

thu 8 I called to see Mr. Upham who keeps the School here, made two or three Visits in Town lodged at Mr. Browns my former Landlord when I preached in Town.

frid 9 We sat out for Connecticut in the morning stopt at Esq. Mores [Elijah Moore] at Oxford, we dined at *Convas's* the Tavern at Killinly [Conn.], and lodged at Mr. *Howes*[1] minister of the middle Parish. rode this Day 30 miles.

Sat 10 Sat out on our Journey dined Mr. Hutchins[2] in the same Town who formerly belonged to Groton where we were kindly entertained. We arrived at Mr. Rowlands[3] the Minister of Plainfield.

Sab 11 I preached all Day from John 4. 42. There is here a separate Society who have a Layman ordained over 'em one Thomas Stevens there is near 50 Families of 'em.

mun 12 We sat out for Newhaven Mr. Rowland in company. Stopt at Norwich which is a very pretty Town dined at Cap. [Robert] Denison's an Uncle of Mr. Rowland, got to Connecticut River just after sunset, past over at Brackaway's [Brockway's] ferry between there and Sebrook we mist our way and wander an hour or two in the woods, at last found our way to Mrs. Lays the Tavern in Sebrook by 11 o'clock where we put up. rid 50 miles.

tues 13 Sat out on our Journey, baited at Killingworth again at Gilford, and dined at Mr. Robins[4] at Branford got over New haven ferry before sunset which is about 2 miles from the Colledge. We put up and got lodgings before Day Light in Spent the Evening at College.

wen 14 Commencement, all Things were carried on with the utmost decency, they came very little behind Cambridge its self.

thurs 15 Breakfasted at College and sat out for home in company with Mr. Eells[5] of Middletown and arrived at his House in the Evening, about 34 miles.

[1] Perley Howe (H. C., 1731).

[2] Probably a member of John Hutchins's family, who had removed from Groton forty years previously.

[3] David Sherman Rowland (Y. C., 1743).

[4] Philemon Robbins (H. C., 1729).

[5] Edward Eells (H. C., 1733).

frid 16 tarried in Town all Day went to another part of it and returned to Mr. Eells. This is a large Town situated at Connecticutt River, very populous.

Sat 17 We sat on our Journey in Weathersfield. We met with Mr. Edwards of Northampton and concluded to go home with him the beginning of next week, by the leave of Providence. we stopt and dined at Harford and called at Mr. Edwards[1] at Winsor father to Mr. Edwards of Northhampton where we were over persuaded to tarry over the Sabbath.

Sab 18 Mr. Edwards of Northampton preached A: M: from 1 Tim: 6. 19. I preached P: M: from Can: 2. 16. very curteously treated here.

mun 19 We sat out on our Journey and dined at Dr. [Charles] Pinchons at Long Meadows in part of Springfield and lodged at Mr. [Samuel] Hopkins[2] minister of a Parish in Springfield on the west side of the River he is Brother to Mr. Edwards of North hampton, about 20 miles.

tues 20 the forenoon being lowry we tarried at Mr. Hopkins till after Dinner and then proceeded on our Journey arrived at North hampton before Night.

wen 21 Spent the Day very pleasant the most agreable Family I was ever acquainted with much of the Presence of God here, we meet with Mr. Spencer[3] a gentleman who was ordained last week at Boston as a Missionary to the Indians of the 6 Nations he purposes to set out to morrow for Albany. the most wonderful instance of self denial I ever met with.

thurs 22 We sat out for home Mr. Edwards was so kind as to accompany us over Connecticutt River and bring us on our way we took our leave of him, he is certainly a great man. We dined at Cold-Spring [Belchertown] and got to Brookfield in the Evening lodged at Dr. [Jabez] Uphams who came from Malden where we were very courteously entertained.

frid 23 We were early on our Journey. Breakfasted at Mr. Eatons[4] the minister of the uper Parish of Leicester. made several visits in Leicester, dined at Mr. Spragues who has lately moved from Malden. went down to Worcester and made two or three visits lodged at Mr. Goodwins.

[1] Timothy Edwards (H. C., 1691).
[2] Samuel Hopkins (Y. C., 1718) married Esther, sister of Mr. Edwards.
[3] Elihu Spencer (Y. C., 1746), ordained at Boston on September 4.
[4] Joshua Eaton (H. C., 1735).

Sat 24 Sat out on our Journey. dined at Col: [Samuel] Willards at Lancaster got home to Groton a little after sunset. I have had a very pleasant Journey, have not met with any Dificulty in travelling above 300 miles. Gods Name be praised.

Sab 25 I preached all Day from Rom: 8. 1. went up to Holles in the Evening found my sister[1] comfortably a Bed with a Daughter, my Mother from Malden has been up here about a fort Night.

mun 26 I waited upon my Mother over to my Lodging.

tues 27 returned back to Holles with Mother where I tarried two or three Days much out of Order with a Cold.

frid 30 I came home and attended the private Meeting at Ebenezer Gilsons. I read some out of Mr. Edwards Concert of Prayer.[2]

October Sat 1 I wrote two Letters in the forenoon one to Mr. Edwards, of Northampton the other to his second Daughter a very desireable Person, to whom I purpose by divine leave to make my addresses, may the Lord direct me in so important an affair; afternoon I went up to Holles my sister still comfortable beyond our Fears.

Sab 2 I changed with Brother Emerson and preached at Holles all Day from, *what is a Man profited if he gain the whole world*, &c.

mun 3 I sat out with my Mother for Malden dined at Col Tings and got as far as Reading lodged at Capt. Eatons.

tues 4 We arrived at Malden found my Fathers family well.

wen 5 I went to Boston did some Business and returned to Malden.

thu 6 made a visit or two in the forenoon afternoon I sat out for home went as far as Reading.

frid 7 the weather so bad I could not proceed with comfort on my Journey, made several visits in Reading.

Sat 8 returned to Groton.

Sab 9 I preached all Day from 2 Pet: 3. 14.

mun 10 I visited 3 Families out of the Bounds of the parish made pastoral visits Isaac Lakins, Sam'll Harwell, Benjamin Barkers.

tues 11 had company all the forenoon, afternoon went down to Groton.

wen 12 Studied all Day.

[1] Hannah, wife of Daniel Emerson.

[2] *An Humble Attempt*, etc. Boston, 1747.

thurs 13 Studied the forenoon, afternoon went down to Mr. Trowbridges Lecture Mr. Hall[1] of Wesford preached from *except ye eat the Flesh and drink the Blood of the son of Man ye have no life in you.*

frid 14 returned home, afternoon conversed with and wrote the Relations of two Persons who are about to joyn to the chh.[2]

Sat 15 Studied all Day.

Sab 16 expounded the 4 first Verses of the 37 Psalm dwelt on 'em all Day.

mun 17 I went out a visiting made a pastoral visit to John Woods Family. Stopt by the Rain tarried all Night at Benj: Parkers.

tues 18 I went up to Holles was sent for to visit two persons at Dunstable[3] Massachusetts Mr. Pike and Wife both sick of Fever. I went & lodged at Mr. John *Kendals.*

wen 19 I returned to Holles spent the forenoon in religious Exercises with the family. this Day was kept as a Day of Thanksgivings by my Brother's family upon the wonderful comfortable circumstances of my sister this time of her Lying in afternoon publick Lecture Mr. Prince the blind man preached from *Mighty to save,* a very profitable Sermon. I returned home in the Evening.

thurs 20 Studied all Day in the Evening rid up to Mr. Boyntons in *Holles* and heard Mr. Prince again, from Gen: 41. 55. I grow in my esteem of him, as a profitable preacher.

frid 21 Our Lecture before the Sacrament Mr. *Prince* preached for me, from Luk: 19. 1–10.

Sat 22 I had company in the forenoon Mr Shed and Wife from Billerica, went up to Mr. Swallows and dined with 'em.

Sab 23 I preached A: M: from Col: 3. 3. P: M: Mat. 5. 4. Mr. Kendal a Brother of our chh. came to Meating in the forenoon,

[1] Willard Hall (H. C., 1722).

[2] In early times, persons, on joining the Church, made a confession of faith, and gave a "Relation of the manner of Gods working with there soules." 2 *Proc.*, XII. 328.

[3] By the running of the new Provincial line between Massachusetts and New Hampshire in 1741 the town of Dunstable was cut in twain, leaving by far the larger part of the township in New Hampshire, including the meeting-house and burying-ground; and thus the two settlements remained for nearly a century, each town bearing the same name. The similarity of designation was the source of considerable confusion, which lasted till the New Hampshire town, on January 1, 1837, took the name of Nashua after the river from which its prosperity largely is derived.

and stopt when I was about to administer the Ordinance of the Supper, and began to make some Objection against our way of work and in particular against one of the Brethren of this chh. I was obliged to stop him and desire him to withdraw which he did without makeing so much disturbance as I expected, he is deeply tinged with enthusiasm. he has not attended with us for some *months*.

mun 24 I had company chief of the forenoon Mr. Bliss called to see me. Afternoon attended the funeral of the Widow *Shipley*, being sent for by Reason of Mr. *Trowbridges* being out of Town.

tues 25 I studied chief of the Day.

wen 26 forenoon did some Business in the *parish*. afternoon went to the other end of the Town & preached a sermon at Daniel Sartells from *in the Time of Adversity consider*. his Wife has been so low that she has not been able to attend publick Worship at the meeting house for 5 years.

thurs 27 Studied part of the Day. conversed with two Persons one about to joyn in full *communion*, the other under promising *Convictions*.

frid 28 Studied some in the *morning*, and had determined to spend the rest of the Day in Fasting and *Prayer* but was interrupted by my Brother *Edwards* coming in from Boston about 1 o'clock. Spent the Remainder of the Day with him, rid out to several *Houses*.

Sat 29 Studied all Day.

Sab 30 I preached A: M: from Psa: 37. 5. P: M: from *what is a Man profited* &c.

mun 31 I sat out with Brother Edward for Malden and got safe there in the Evening.

November tues 1 I went to Boston did some Business & returned to Malden.

wen 2 Sat out for home, being not well I reached as far [as] Mr. Benj'n Parkers of Groton.

thurs 3 returned to my Lodgings did some Business in the parish.

frid 4 Studied some conversed with 2 Persons who are about joyning the chh. and went out in the Evening.

Sat 5 Studied chief of the Day.

Sab 6 very much out of Order with a cold yet preached all Day from Psalm 37. 5. much better in the Evening.

mun 7 Sat out some time before Day on a Journey to Northampton to visit Mrs. Esther Edwards, to treat of Marriage. got to Worcester comfortably tho' something stormy. lodged at Mr. Goodwins.

tues 8 had a pleasant Day to ride in. got to Cold-Spring in the Evening. lodged at Mr. Billing's [1] the Minister where I was very courteously entertained.

wen 9 I got safe to Northampton, obtained Liberty of the House. in the Evening heard Mr. Searle preach at an House in the Neighbourhood from by Grace are you saved.

thurs 10 I spent chief of the Day with Mrs. Esther, in whose company the more I am the greater value I have for her.

frid 11 the young Lady being obliged to be from Home I spent the Day in copying off some things remarkable Mr. Edwards hath lately received from Scotland. Spent the Evening with Mrs. Esther.

Sat 12 Spent part of the Day upon the Business I came about.

Sab 13 A: M: Mr. Eaton [2] of Leicester being here on a visit preached from *in the Day of adversity consider*. P: M: I preached from *behold the Lamb of God*.

mun 14 I could not obtain from the young Lady the least Encouragement to come again, the chief objection she makes is her youth, which I hope will be removed in Time. I hope the Disappointment will be sanctified to me, and that the Lord will by his Providence order it so that this shall be my companion for Life. I think I have followed *Providence*, not gone before it. I sat out with Mr. Eaton for home. we lodged at Coll: Dwights at Brookfield.

tues 15 I came as far as Worcester. lodged at Mr. Stearns.

wen 16 I came to Lancaster, this Day the Rev'd Mr. Harrington [3] was installed to the pastoral Office here Mr. Storer [4] of Watertown began with Prayer Mr. Hancock [5] of Lexinton preached from 1 Cor: 9: 19. after supper I went to Harvard home with Mr. Seccomb.

[1] Edward Billings (H. C., 1731).
[2] Joshua Eaton (H. C., 1735).
[3] Timothy Harrington (H. C., 1737).
[4] Seth Storer (H. C., 1720).
[5] John Hancock (H. C., 1689).

thurs 17 I came home to my Lodging, dined at Capt. [Benjamin] Bancrofts at Groton. I was considerable melancholly under my Disappointment at Northampton concluded notwithstanding by the Leave of Providence to make another trial in the Spring.

frid 18 I read some forenoon P: M: went to the private meeting at Mr. Wrights read a sermon of Mr. *Elvins* of the Obedience of Faith.

Sat 19 So discomposed I could not study, I could not have tho't what I have lately met with would have had this Effect, the Lord hath put me in a very good *school.* I hope I shall profit in it.

Sab 20 much more composed I endeavered to roll off my Burden upon the Lord and he sustained me. I preached all Day from *they who are whole need not a Physician but they who are sick.*

mun 21 Studied chief of the Day.

tues 22 Studied forenoon, afternoon I went to see some workmen I have about my House.

wen 23 I studied very hard all Day was much assisted.

thurs 24 Public Thanksgiving. I preached from *Praise ye the Lord,* went up to Holles to supper; returned in the evening to marry a couple.[1]

frid 25 rid out with Brother Emerson in Town about Business.

Sat 26 read some forenoon, afternoon wrote a Relation for Mercy Williams. rid up to Holles to change with B: Emerson.

Sab 27 I preached at Holles all Day from *he is the Rock* &c.

mun 28 I made one pastoral visit to Silas Blood on the other side of the River, made several other visits.

tues 29 I studied forenoon, afternoon preached a sermon at John Woods from *he is the Rock.*

wen 30 Studied hard all Day in the evening did some other writing.

December thurs 1 Studied hard all Day. went in the Evening to Mr. Isaac Farnsworths and wrote the greater part of a Relation for his Wife.

[1] Without doubt the couple was Samuel Foster, of Boxford, and Jane Boynton, as they were married at Pepperell on this day.

frid 2 Studied forenoon. afternoon our Lecture I preached from *prepare* [*therefore*] *with Joy shall ye draw water out of the Wells of Salvation.*

Sat 3 I went in the morning to visit a child of Mr. Wrights who is sick of the Throat Distemper. She died afternoon.

Sab 4 A: M: Sacrament, I preached from 2 Cor: 8: 9. P: M: from *blessed are they who mourn* &c.

mun 5 I write two Letters to Northampton one to dear Mrs. Esther *Edwards* who I find ingrosseth two many of my Tho'ts yet some glimmering of Hope supporteth my spirits. in the Evening I went down to Capt. [John] Bulkley's, lodged there.

tues 6 Sat out with a Number of Groton people for Concord. I lodged at Capt. Hubbards a relation of mine where I was courteously entertained. I heard of the Death of Mr. Owen [1] of Boston, which affected me much, the best Friend I had in Boston. I pray God to sanctify to me.

wen 7 I went to the other parish, attended the Ordination of Mr. Lawrence.[2] Mr. Appleton [3] of Cambridge began with prayer, Mr. Trowbridge preached from 1 Tim: 3. 15. Mr. Hancock of Lexinton gave the charge, Mr. Rogers [4] of Littleton prayed after the charge. Mr. Williams [5] of Weston gave the right Hand. after supper I rode down to my Fathers. My Mother hath been ill with the Slow Fever, but something better.

thurs 8 I went to Boston attended the publick Lecture Mr. [Samuel] Checkley preached from Luk: 14. 27. dined with Mr. Bromfield, returned to Malden.

frid 9 Sat out for Home, dined at Woburn with Mr. Cotton, lodged at Mr. Chandlers [6] who hath lately bro't home his Wife who appears to be an agreeable *Woman.*

Sat 10 came to Dunstable in [New] Hamshire in order to preach there tomorrow Mr. Prince is to supply my Pulpit took lodging at Col: Blanchards.

Sab 11 I preached all Day from *what is a man profited if he gain the whole world* &c.

[1] William Owen, a tailor.
[2] William Lawrence (H. C., 1743) at this date ordained at Lincoln.
[3] Nathaniel Appleton (H. C., 1712). [4] Daniel Rogers (H. C., 1725).
[5] William Williams (H. C., 1705).
[6] John Chandler (H. C., 1743) of Billerica, m. November 3, 1748, Mary White, of Haverhill.

mun 12 breakfasted at Major Lovewells and after Dinner at the Col: returned to my Lodgings.

tues 13 read all the forenoon afternoon attended the funeral of a child of Moses Woods who was still born. Evening went up to Holles heard part of a Sermon at Mr. Townshends from Mr. Prince lodged at Brother Emersons.

wen 14 Spent the forenoon in reading part of Col: Gardiners Life. after Dinner returned home.

thu 15 read some. conversed with two persons who are about owning the covenant. Studied some Evening.

frid 16 Studied all Day. Evening went out about Business.

Sat 17 Studied chief of the Day.

Sab 18 I preached all Day from *the whole need not a Physician but they that are sick.*

mun 19 I went out made two pastoral visits on the other side of the River, viz to Nathan Fisk, and James Blood. Studied some in the Evening.

tues 20 read some in the forenoon, afternoon went up to Holles and pilotted Mr. Prince down who purposes to tarry a Day or two with us. I studied in the Evening.

wen 21 I read chief of the Day to Mr. Prince and he preached a Sermon at my Lodgings in the Evening from *behold I stand at the Door and knock.*

thurs 22 read something forenoon afternoon went to James Parker [Jr.][1] and married him at his own House to Rebekah Bulkley. A decent pretty wedding.

frid 23 I was this Day so pressed down under the weight of some peculiar Burdens both of a temporal and spiritual Nature that I could not fix my mind to do any thing at all in the forenoon. afternoon attended the private meeting at Mr. Sam'll Fisks. read a sermon out of Dr. Watts.

Sat 24 Melancholly all Day, it seems to be growing upon me. I read a little but chief of the day sat meditating on my Troubles. Evening my Burden was somewhat lightned. O that I could be thankful for it almost unfit me for the service of God or Man.

[1] Son of James and Abigail (Prescott) Parker. See Green, *Groton Epitaphs*, p. 17.

Sab 25 preached all Day from *the whole need not a Physician but they that are sick.*

mun 26 Went out to divert my self, and visited several of the Neighbours.

tues 27 read some, attended some upon Company, and studied some the whole of the Evening.

wen 28 Studied part of the Day began to read Ames Medulla [1] went in the Evening to wait upon the parish committee at James Lawrence about Business. after Nigh [ ] o'clock I was sent for to see the Wife of Benj'n Rolfe who has been exercised with Fits, and is in very great Distress of soul, her convictions appear strong, may they Issue well.

thurs 29 read forenoon studied afternoon & Evening.

frid 30 read some & studied some.

31 read some & studied some. the year is now concluded and I may well finish my Journal as *Ames* does his Almanack Another year now is gone, but ah! how little have we done. alas! how little have I done for God, for my own soul, for the souls of my people committed I find a great deal Amiss, I would fly to the grace of Christ to pardon my Defects and to his strength to enable me to do more for him this year if he should please to spare my Life.

A Journal for the year 1749

January Sab 1 I preached all Day from *commit thy way to the Lord trust also in him* etc. extreem cold Day very few People at Meeting.

mun 2 I went out about Business in the parish.

tues 3 did some *odd chores* in the Day. Studied Evening.

wen 4 I went up to Moses Woods and preached a sermon in his House from *turn thou me and I shall be turned.* a larger Assembly than I expected.

thurs 5 Dr. Brewster and Brother Emerson came to see me, I waited on 'em chief of the Day. Studied evening.

frid 6 Went up to Holles after studying some in the morning and preached Brother Emerson Lecture from *Fear not little Flock,* &c returned Home.

[1] William Ames's *Medulla Theologica.*

Sat 7 Studied all Day, being hindered so much this week I could not get prepared for the Sabbath till in the Evening.

Sab 8 I preached all Day from the *whole need not a Physician*, and extreem cold Day, much colder than the last Sabbath.

mun 9 I went up to the other End of the parish visited Eleazer Greens wife [1] who is sick, and went down to Dunstable. lodged at Eben: Kendals.

tues 10 Went to see a man in the Neighboured who was apprehended to be adying and he did die within an hour or two after I left the House. I returned Home.

wen 11 forenoon I studied some, afternoon went to the parish Meeting. Evening waited upon Company.

thurs 12 Studied all Day. Evening reckoned with some who have worked for me.

frid 13 Studied forenoon, afternoon attended the Meeting at Jonas Varnum instead of the Lecture for I put by the Sacrament upon the Account of the difficulty of the Season. Spent the Evening at James Parkers.

Sat 14 Studied all Day.

Sab 15 I expounded all Day 2 Tim: 3. 1–12.

mun 16 read chief of the Day.

tues 17 read forenoon. afternoon & Evening spent with the Committee who came to settle the Salary for this coming year.

18 Went up to Holles spent the Day returned Evening.

thurs 19 Studied forenoon. afternoon attended the funeral of child at Sam'll Rolfe tother side the River, the child was not a fortnight old born of a woman whom Ezra Rolfe brot here and calls his wife tho' he has another at Lancaster. I spent Evening at Deacon [William] Cumings with Brother Emerson & Mr. Prince.

frid 20 Studied all Day.

Sat 21 Studied all Day.

Sab 22 preached all Day from Mal: 3. 16.

mun 23 Studied some afternoon, entertained company. Mr. Prince came to tarry a Day or two with us.

tues 24 Studied chief of the Day.

[1] Anna (Tarbell) Green.

wen 25 Studied forenoon, afternoon went up to Holles.

thurs 26 Studied all Day. Evening Mr. Prince preached at my lodging from *to 'em who believe he is precious.*

frid 27 I went to Dunstable Brattles End.[1] preached to a family Meeting at Mr. Eben: Kendals from Mal: 3. 16. and in the Evening at Mr. John Kendals from *turn thou me and I shall be turned.*

Sat 28 returned Home very much out of order.

Sab 29 preached all Day from *yea all who will live godly in Christ Jesus shall suffer Persecution.* much indisposed all Day.

mun 30 my Illness seems to increase upon me.

tues 31 Something better thro' Mercy was able to do a little writing. heard of the Death James Parker [Jr.] whom I married about a month ago. he died at his mothers at Town [Groton].

February wen 1 Something better wrote two Letters to Northampton.

tues 2 I went down to Groton attended the Lecture Mr. Trowbridge preached from Mark 13. 35. I went to Unkety[2] lodged at John Woods.

frid 3 attend the private Meeting at John Scots. read a sermon out of Dr. Watts.

Sat 4 I studied some.

Sab 5 I preached all Day from *O that they were wise.*

mun 6 read some in forenoon, afternoon walked up to Holles in order to joyn with Brother Emerson tomorrow in the Concert of Prayer.

tues 7 We spent the forenoon in religious Exercises in private except one or two Neighbours with us, afternoon a publick Lecture. Brother Emerson preached from Esther 4. 14.

wen 8 In the afternoon I sat out to return home went part of the way, and was beat out by a storm of snow, made a visit to the Widow Cummings[3] who hath for some Time been under peculiar Temptations. returned to Brother Emersons.

[1] Brattle's End was the name of the settlement in the neighborhood of Capt. Thomas Brattle's farm, now known as Dunstable, Massachusetts.

[2] "Unkety" was the neighborhood of Unquetenassett or "Unkety" Brook in Groton.

[3] Hannah (Farwell) Cumings, widow of Ensign Jerahmael Cumings, and mother of the Rev. Henry Cumings (H. C., 1760).

thurs 9 Studied chief of the Day.

frid 10 Studied some in the Morning and returned Home to my lodging.

Sat 11 Studied all Day.

Sab 12 I preached all Day from *yea, all who will live godly in Christ shall suffer Persecution.*

mun 13 read all Day. Brother Emerson and Mr. Ward our schoolmaster who keeps in the parish, spent the chief of the evening with me, and then I went up to *Holles* with Brother.

tues 14 went early in the morning to Capt. Powers and did some Business made two three visits and returned to my Lodging. I conversed at Brother Emersons with Mrs. [Anna (Farwell)] Brown wife to Josiah Brown who is under very grievous Temptations and spiritual Dificulties. the Lord relieve her.

wen 15 read some and studied some.

thurs 16 Studied forenoon, afternoon made a visit to the Widow Parker,[1] who is a young Widow indeed but a little above 18 years of Age.

frid 17 Studied all Day.

Sat 18 Went up to Townshend in order to change with Mr. Hemenway.[2]

Sab 19 I preached at Townshend all Day from Mal: 3. 16.

mun 20 I made several visits and returned home at Night.

tues 21 I read all the forenoon, afternoon wrote a letter to Northampton to send by Mr. Isaac Parker who designs to set out for there to morrow. Spent the evening with the committee who came up from Town to lay out the common about our Meeting.

wen 22 Studied some, spent the evening with company.

thurs 23 Studied chief of the Day, went in the Evening to visit Cap: Parker and Mehitabel Flanders, who seem to be abandoned to all wickedness. the Capt hath a Wife and yet even before her he will lay upon the Bed with this *Flanders* who is one of the most impudent sinners I ever heard of. I could not see the Cap. but talk with her discharged my own conscience but I fear did her but little good.

[1] Her maiden name was Rebekah Bulkley, and she was married to James Parker, Jr., on December 22. See diary of that date.

[2] Phineas Hemenway (H. C., 1730).

frid 24 Studied forenoon Afternoon the preparitive Lecture I preached from these words *my Beloved.*

Sat 25 This Day being the Annoversary of my Ordination I devoted to Fasting and Prayer. I was obliged to study some being not prepared for tomorrow. I endeavored to lay low before God for my many sins and the many aggrevations of 'em, especially for the short comings of the year past, and awful breach of vows and Promises. I solemnly renewed my covenant made Resolutions and Promises. I hope in the strength of Christ that I would live better that I would watch more against sin, and especially against the sin, which doth most easily beset me and pleaded for strength to perform all Duties of my general and Particular calling. O Lord hear my Prayers accept my Humiliations give me strength to keep my *vows*, for Jesus sake Amen, and Amen.

Sab 26 Sacrament, I preached all Day from 2 Cor: 8. 9.

mun 27 I sat out for Malden, got to my Fathers safe in the Evening. Went via Concord.

tues 28 Spent the Day in visiting a Neighbour or two. The winter in a great measure broke up.

March wen 1 accompanied my Uncle Moody a few Miles who hath been visiting his Friends here for some time. He is something better than he hath been.

thurs 2 I went down to Boston, Mr. Foxcroft preached the publick Lecture from Job: 1. 5. I agreed to preach for Mr. Roby[1] at Lyn precinct [Saugus] next Lords Day who supplys my place. Mr. Cheever is to go up. I lodged at Charlestown, Mr. Hopkins.

frid 3 returned to Malden and preached my Fathers Lecture from Mal: 3. 16.

Sat 4 I went to Lynn, took my lodging at Mr. Jonathan Waits.

Sab 5 preached A:M: from *there is no Peace saith my God to the wicked.* P:M: from Mal: 3. 16. and in the Evening I preached a sermon at Mr. Waits *from the whole need not a Physician but they who are sick.*

mun 6 I returned to Malden made a visit or two by the way.

tues 7 I went to Cambridge and visited a poor woman in jail who is condemned to die for Burglary.[2] She appears one of the most

[1] Joseph Roby (H. C., 1742).

[2] "Saturday last at Charlestown a Woman, who has been a notorious offender, received Sentence of Death for Burglary." *The Boston Gazette*, February 7, 1749.

hardened Creatures I ever saw. afternoon I went to Boston and returned to Malden.

wen 8 A: M: made a visit to Mr. Cleaveland. P: M: my Father preached a sermon to the children at his own House from *acquaint now thy self with God and be at Peace.*

thurs 9 I sat out for Home, dined at Concord, spent the afternoon at Mr. [James] *Minots* lodged at Mr. [Daniel] Blisses.

frid 10 returned home.

Sat 11 read something. received a letter from Mrs. Sarah Edwards of *Northampton,* who entirely discourages me from taking a journey again there to visit her sister, who is so near my heart. I am disappointed the Lord teach me to profit may I be resigned.

Sab 12 I preached all Day from Rom: 8. 1.

mun 13 I began my pastoral visits and visited 5 families Dan'll Boynton, Jos[eph]: Jewet, Jonathan Woods, Jacob Ames,[1] James Shattuck.

tues 14 I kept school forenoon for Mr. Ward had 60 scholars afternoon I catechised in the same house had an hundred children present. I went up to Holles at night and lodged.

wen 15 I went in company with Brother Emerson to Townsend Mr. Hemenways lecture, Mr. Trowbridge preached it from the *precious Blood* of Christ. returned home to my lodging, Brother Emerson.

thurs 16 read some entertained company forenoon & afternoon married Abraham Parker to Loes Blood evening.

frid 17 Studied forenoon, afternoon went to the private meeting at Mr. Whites read a sermon of Dr. Watts.

Sat 18 Studied all Day.

Sab 19 preached all Day from Job 19. 25. 26. 27.

mun 20 Visited 5 families, Sam'll Shattuck, Will'm Spaulding, the young widow Parker, Simon Lakin, Nehemiah Hobart.

tues 21 Very much out of order. I have a constant faintness at my stomach, more weak this spring than usual.

[1] Well known as the man who had shot the Indian that killed his father at his garrison house on July 9, 1724. See Green, *Groton during the Indian Wars,* p. 132. This was the last Indian killed in the neighborhood of Groton.

wen 22 able to study some.

thurs 23 public fast A: M: I preached from Isa: 58. 1. P: M: Brother Emerson preached for me the day not being observed in [New] Hampshire from Psal 79. 8, 9.

frid 24 Very faint and weak yet. I wrote two letters to Malden, received visits, went out toward evening with Mr. Ward to see Mr. [William] Prescott.

Sat 25 read some forenoon. Went up to Holles to change with Brother Emerson.

Sab 26 I preached at Holles A: M: from Hoseah 3. 1. P: M: from Mal: 3. 16. came home in the evening.

mun 27 My weakness increases upon me so I am obliged to leave pastoral visits for a time. I rode out and did some business in the parish.

tues 28 I rode up to my place to see my workmen. I had 19 yoke of oxen at work for me and 16 hands all given me my people seem to grow in their kindness to me, blessed be God, they cross ploughed 3 or 4 acres of land.

wen 29 I rode down in town made several visits lodged at Capt. Bulkleys.

thurs 30 attended Mr. Trowbridges lecture Mr. Hemenway preached from Psal: 26. 6. I went to Unkety lodged at Mr. Perkins.

frid 31. returned home and read some.

April Sat 1 able to read to some but little.

Sab 2 I was obliged to preach old sermons all day from Rom: 8: 28.

mun 3 ride over to Lancaster I find riding of service to me under my present weakness.

tues 4 the weather so bad I tarried in town all day. Visited Mr. [Timothy] Harrinton.

wen 5 returned as far as Groton dined at Mr. Seccombs lodged at Major Lawrences.[1]

thurs 6 returned home morning our lecture Mr. Trowbridge preached from Prov. 1. 24. the chh stopt after lecture and unanimously renewed their choice of Jer: Lawrence and John

[1] Better known as Colonel William Lawrence.

Spofford for Deacons, who have not yet given their answers tho' they have been chose for 14 months.

frid 7 Fast at Holles Mr. Emerson preached all day from Psal: 79. 8. 9.

Sab 9 Sacrament I preached A: M: from *do this in remembrance of me.* P: M: from *there is no peace saith my God to the wicked.* My weakness still continues.

Remarks were made during the meeting by the PRESIDENT, and Messrs. GREEN and NORCROSS.

JANUARY MEETING, 1911

THE stated meeting was held on Thursday, the 12th instant, at three o'clock, P. M.; the PRESIDENT in the chair.

The record of the last meeting was read and approved; and the list of donors to the Library during the month was read.

Henry Herbert Edes, of Cambridge, was elected a Resident Member of the Society; and Samuel Verplanck Hoffman, of New York, a Corresponding Member.

The EDITOR reported gifts of manuscripts from Samuel Savage Shaw, and further deposits of Huntington manuscripts by Roger Wolcott.

Mr. FORD read a manuscript which had recently been given to the Society by Col. James Morris Morgan, of Washington, D. C., formerly of the Confederate navy. It was written, before 1867, by Captain Ernest C. Reid, of the merchant service. A German by birth, he early went to sea, and for many years sailed on the East India trade in ships belonging to Fraser, Trenholm and Company, of Charleston and Liverpool. The principal cargoes were jute bagging for cotton bales. Colonel Morgan writes:

At the outbreak of the Civil War Reid was the first mate of the ship *Emily St. Pierre*, named after one of the daughters of George Alfred Trenholm, of the mercantile firm, and also Secretary of the Treasury in the Confederacy. This ship, loaded with jute bagging and bound for Charleston, arrived off that port in 1861, after the war had opened, but of this her captain was ignorant. She was captured, and Reid and the crew, with the exception of the captain, cook and steward, were taken out of her and sent to Fort Lafayette. A prize crew was put on board, with orders to take her to a northern port, and carrying with her the captain, cook and steward. One night Captain Wilson got into communication with his cook and steward, overpowered the prize crew consisting of ten or eleven men, and forced the prisoners to help him navigate the ship to Liverpool, England. The name of the ship was changed to *Anna Helen*, another daughter of Trenholm, and being put under the British flag to avoid

recapture, she carried cargoes of contraband goods from Liverpool to the Bermuda Islands, where they were transferred to Trenholm's steam blockade-runners.

When Reid was released from prison, Mr. Trenholm gave him command of a small steamer, a makeshift blockade-runner, whose name I have forgotten; and although she was very slow, he managed to sneak through the blockading squadron several times. He was at last met in the open sea by a cruiser, and as he would not stop, his little vessel was sunk. As soon as he got out of prison he was again given the command of another blockade-runner, and again he fell a victim to the same cruiser, and met with the same fate — the destruction of his ship and imprisonment. Reid used to relate with pride an amusing anecdote about meeting the captain of the cruiser in the streets of Nassau, who expostulated with him, saying: "Reid, you have treated me shamefully! I am a man with a family, and all the other officers of the blockade are making heaps of money. But my ship is so slow that you are the only blockade-runner I can catch, and you force me every time to destroy your ship, instead of acting decent and letting me get some prize money. Now do act white next time, and let me get the benefit of the cotton. It does you no good on the bottom of the sea." Reid commanded three blockade-runners before he took command of the *Sumter*, and all were destroyed by the United States cruisers. I think he died in 1875, then being in command of a small coasting steamer plying between Baltimore and Charleston.

The Mrs. G. was a Mrs. Greenough of New Orleans, She posed as a famous Confederate spy, and wanted everybody to know it. She was drowned near Fort Fisher, as Reid relates. Greater minds than mine had grave doubts concerning Southern spies who cried their vocation from the housetops. It was a particular fad of some notoriety-loving women. I heard a story in those days, that, when the work of some particular spy had been praised in the presence of General Lee, he remarked in his quiet way: "There can be no doubt of the value of the information brought by some volunteer spies, but I doubt if it is of as much importance to us as the information they give the enemy while securing it, and," he added, after a pause, "immunity."

On the *Sumter* at this time, the following notes are illustrative of her last voyage to the United States.

The United States consul at Liverpool reported on July 3, 1863:

The steamer *Sumter*, now called the *Gibraltar*, sailed this morning. As yet she has not cleared from the customs; will do so probably

next week. She is one of the privileged class and not held down like other vessels to strict rules and made to conform to regulations. She has on her a number of guns in cases, among them the two large Blakely, weighing some 22 tons each, shot, shell, and other munitions of war, and machinery, which, I think, is intended to work the guns in the turret of the ironclads now building by the Messrs. Laird. I believe those guns are for these ironclads.

And again on July 4:

The clearance of the *Sumter*, called *Gibraltar*, appears in the papers this morning for Nassau. I forgot to mention yesterday that she is commanded by a Southerner by the name of E. C. Reid. M. G. Klingender's name figures as her consignor.[1]

With this information it became an object to meet and prevent her from landing. On July 20, Dahlgren, then off Morris Island, South Carolina, issued instructions to spare no efforts for her capture. "If she appears and can be destroyed, let it be done even if one of our vessels has to chase her inside."[2] He repeated these instructions, ten days later, in even more expressive terms: "In the case of the *Sumter*, she is to be pursued even into the harbor, at all risks, by day or night, and destroyed."[3] Her destination was unknown, for Nassau may have been a blind; but August 12 two Whitworth guns, of 22 tons each, were landed at Bermuda, and the vessel herself was reported at that place.[4] The blockade-runner, if it was the vessel, carried the guns herself to Wilmington, and successfully landed her cargo. Later the *Sumter* was falsely reported to have been destroyed at Charleston, but it proved to have been a smaller vessel of the same name.

The *Bermuda Gazette* explains the mystery of the sinking of the Confederate steamer *Sumter*, alias *Gibraltar*, in Charleston Harbor. She was fired into by Fort Moultrie, the rebels there probably mistaking her for a Federal man-of-war. Six hundred and thirty persons were on board of her at the time, and all but twenty were saved.[5]

But on October 11, she was properly reported by Lieutenant Lamson, of the U. S. S. *Nansemond*, then off New Inlet, Wilmington, as being in the river, without cargo, and waiting an

[1] *Official War Records*, Navies, IX. 128, 129.
[2] *Ib.* XIV. 378.
[3] *Ib.* 411.
[4] *Ib.* 513.
[5] *Official War Records*, Navies, IX. 229. The date is about September 18, 1863.

opportunity to come out.[1] A month later, on November 12, Rear-Admiral Lee learned that the vessel had been loaded for more than a month, and would go out over the main bar, as the *Nansemond* was troublesome on the New Inlet side.[2] Also, that of the two large guns brought by the *Sumter*, one had burst at Charleston, and the other was at Wilmington, intended to be placed in Fort Fisher.

THE LAST BLOCKADE RUN OF THE SUMTER, 1863.

In October, 1863, I was outward bound in the soi-disant *Sumter*: they called her still the *Sumter* although her name according to her papers was then the *Gibraltar* of Gibraltar, but her old name had been made so famous previously by her daring and brave commander Captain Semmes, that people did not accept the change gracefully and clung to the old one. Built originally in Philadelphia for the New Orleans and Havana trade, as the *Habana* she became quite a favorite with the travelling community on that route, was bought by the Confederate Government after the outbreak of the war, named the *Sumter*, and Captain Semmes appointed as her commander, who made her the terror of American merchantmen in the waters around the West India Islands, until her boilers became so much worn, that he was obliged to run her into Gibraltar; here she was dismantled and sold to an English house.[3] After receiving her English papers and necessary repairs, she proceeded to Liverpool and lay there some time without employment. The agents of the Confederate States Government in the summer of 1863, wishing to get some heavy guns into the Confederacy for the defence of Charleston, S. C., chartered her. One of the numerous officers, that then held commission in the naval service of the Confederate States and were doing little or nothing in Europe, was appointed to her command, and after some difficulty with regard to her clearance,[4] succeeded in getting out of Liverpool and, evading the United States cruisers, she arrived safe at Wilmington. Here she discharged her cargo of guns, shot and shell, and taking a load of Government cotton on board, she was ready to proceed to sea.

To vessels adapted for this peculiar trade, blockade-running at the time I mentioned was, comparatively speaking, easy. They were generally long low side-wheel steamers, with great power of speed, painted a color that resembled the shadows of the night to a nicety, commanded by men that added to coolness and bravery a thorough

[1] *Official War Records*, Navies, IX. 234. [2] *Ib.* 300.
[3] *Ib.* II. 74–78. [4] *Ib.* 144, 420.

knowledge of the coast and its adjacent shoals. They timed their departure from either Nassau or Bermuda so as to be able to leave the inner or western edge of the Gulf stream about dusk, and, if correct in their reckoning and consequently making a true landfall, found little difficulty in passing the fleet. Sometimes, if caught a glance of by a more vigilant man-of-war, it was only a shot or so and often not even that. As they swept past with the velocity of a fog cloud in a gale of wind, it was impossible for any gunner to fire at them with success, and the rocket flying up in the direction, they thought the phantom had gone, was all they could do to warn some of their confrères farther in shore to keep a good lookout for the coming vessel. It was only in the two following years of the war, that blockade-running became exceedingly difficult and dangerous, through the increase of the fleet round about the harbours, and the establishment of an outer blockade about fifty miles from the coast. The latter was composed of the swiftest steamers of which the United States navy could boast.

I say it was easy for steamers adapted for this service to run the blockade: unfortunately the *Sumter* was not. Her sides rose some fifteen feet above the water's edge and with her large smoke-stack and her three masts and yards being barque rigged, she loomed up considerably even in a very dark night; but having succeeded in getting into port at day time, I thought I could venture with good prospect of success at night; and mounting the steps leading to headquarters I entered, and my papers being found all right I got my visé, with many hearty good wishes for success from the gentlemanly officers of General Whiting's staff, kind, affable and brave every one of them, as Fort Fisher can testify at least to the latter quality.

Done with headquarters, there were other formalities to be got through with before a steamer could leave the city. A "boarding officer" had to be notified that the steamer was ready for inspection; upon which notice he came on board with a guard and, after mustering the crew and keeping them together in one spot, a strict search was made in every nook and corner, that was not filled with cargo for "stowaways." The first conscript law had been passed and was in full force, and many an anxious individual whose courage had gone like Bob Acres, or who thought a soldier's life not congenial to his habits or beneficial to his health, would have given quite a large sum to get clear and away from Dixie. A good many tried to prove to the higher Government Officials that their services in foreign climes, would be of much more benefit to the country than with a musket in the field, and succeeded (for a consideration). But they never did with Lieutenant Thomas the boarding officer, — a kind,

affable man, but strict and intensely honest! Bribery was thrown away on him and he had every opportunity to make a fortune. A temperance man, he never would touch even a glass of wine on board the different steamers, although they were well known to have the best of wines. He did his duty politely but thoroughly, although I found out his weakness after a while, — he liked lobsters, and with a pleasant smile, he would permit you to put some of those into his boat. If an unfortunate fellow was found, why two soldiers took him in charge and off he went to the guardhouse. If not, the steamer was allowed to proceed, with a sergeant and four men as a guard, to see that nobody came on board during the passage from town to Fort Fisher at the mouth of the river.

To illustrate the dangers some people would risk, the hardships they were willing to suffer, to evade this much dreaded conscription, I will briefly relate an incident that came under my own observation on one of the voyages from the Confederacy. To enable the reader to understand the sufferings a poor wretch underwent that time, I am obliged to explain the construction of the hull of a ship or steamer. After the keel of a vessel is laid, the frames one by one are attached to it. These frames are, comparatively speaking, like the ribs of an animal, the keel being the backbone; and when the former are all secured to the latter for the whole length of the ship, the planks forming the outside of the ship are fastened by bolts to these frames, until the side of the ship is complete. Then a similar planking, but of less thickness, is placed on the inside of the frames, and after completion forms so to say a double ship, the empty space between the two hulls being filled up at intervals of a foot or two by the frames. In sailing vessels this inner planking is fastened for the entire length of the ship, the pumps going through it at a certain place to remove any water that should get through the outside; but on steamers, where different pipes of iron and lead run from the engines to different parts of the hold, this flooring is loose for the space of the engine department, and is composed of cast iron plates that fit close to each other, and can be lifted up if any disarrangement in the pipes below makes it necessary. Of course the space between this outer and inner skin of a ship is very small, and varies according to the shape of the vessel from eighteen inches to two feet deep in amidships. On this particular voyage that I allude to, the excitement was over and the steamer clear of the inner or immediate blockade, when a fireman reported to the Engineer that he had discovered a dead man in the stokehold. While in the pursuance of his duties, stepping frequently across one of the plates before mentioned, he felt that it did not rest solid, and, wishing to find out the cause of the obstruction, he lifted the plate up, when to his horror he saw the

body of a man, face upwards and to all appearance dead, jammed tight between the frames, partly covered with water, a certain quantity of which is always collected there. To run to the engine room, terrified and horror-struck, and to report the fact to the engineer was the work of a moment; equally as quick the stranger, then apparently dead, was got out and brought on deck, and it took all my knowledge of the healing art and a great quantity of restoratives to keep the flickering spark of life, that was left, from taking its departure altogether. After recovery, he told me, that to avoid serving in the army, he had secretly come on board the night before our departure and chosen the place, as the most likely to escape the notice of the boarding officer; that after the steamer got fully under way and, as he thought, safe to sea, he found the heat making him feel very faint and he tried to raise the plate, which he had let down again after concealing himself; but found his limbs so stiff and useless from lying there so long (eight hours), and his strength so exhausted by the faintness that was gradually overpowering him, that he did not succeed, and after suffering all the horrors of a person buried in a trance, he lost consciousness, He assured me though, he would rather die a dozen deaths on the battlefield than live the one half hour over again that elapsed before he lost consciousness.

The city of Wilmington on the Cape Fear river is situated about thirty miles from the sea. The river for the entire distance is full of shoals, and is difficult to navigate for a vessel of any considerable draft. Besides these natural obstructions, a good many artificial ones, protected by heavy batteries ashore, had been added by the military authorities, to prevent the advent of the Yankee fleet, should the capture of the forts constructed in the mouth of the river be accomplished. This made it necessary for steamers outward bound, to leave the city during the early part of the day, when, if not run aground on the passage down the river, they reached in good time Fort Anderson, 16 miles below the city, situated on the west bank of the river, a sand fortification thrown up and armed after the commencement of the war. Here another boarding officer came off, and the same process of mustering crew and searching after stowaways was gone through with, after which the final test was applied to find out, if anybody had been ingenious enough, to evade the vigilance of both officers. This was the fumigating process. A man stepped on board carrying a small iron pan or vessel of that shape, filled with a compound of minerals, his satanic majesty is commonly believed to deal largely in, and quietly going below the decks, he applies the match and fills the whole interior of the ship that is empty with fumes by no means aromatic. These penetrate wherever there is any open space left and cause even rats to leave their most

cherished hiding places. After listening attentively for the least noise that could betray the presence of a human being and not hearing any, the powers that be are satisfied, and you are allowed to proceed as far down the river as you think it prudent to go, before darkness hides your ship from the lookout men on board of the men-of-war, the masts of which you even then can distinguish plainly over the low sandy beach in front of you; always retaining the military guard on hand, which does not leave until the hour that the steamer makes the final start for the bar.

The *Sumter*, although touching the bottom several times on her passage down the river, caused by her heavy draft, got down safe, no "stowaways" having been found on board of her. She anchored about five miles below Fort Anderson to wait until about ten P. M. when the tide would serve to cross the bar. Generally the time that had to elapse, before either moon or tide allowed the ship to go, was spent very pleasantly on board of an outward bound vessel. Officers that could get leave of absence, from the different forts, situated in the vicinity, would come on board, and, whilst enjoying the luxuries of the table a soldier's life deprived them of, incidents of camp life, of battlefields, and of advances and retreats would be related to be followed again by the recital of hair-breadth escapes from capture or from shot and shell that some fast Yankee cruiser in vain expended as the lucky blockade-runner escaped his clutches. Life was very uncertain at this time and, strange to say, valued less on that account, not knowing how soon some ball would put an end to one's existence. "A short life and a merry one" was almost everybody's motto. When the time drew near for the final start, the parting glass was taken with many a heartfelt wish of success, and whilst the boats moved off with our visitors and guard, the windlass slowly revolving, loosened the anchor from its moorings, the engines commence to move at first slowly, then faster and faster and the steamer disappears in the gray shadows of the night. Then all becomes hushed and silent on board of her, every light is extinguished, with the exception of the small lamps by the compass, which are protected by screens, hiding their rays so that they only fall on the card that guides the pilot on his way; the officers on the most elevated spot on the ship's decks scanning the dimly perceptible horizon with their nightglasses, the crew lying flat on the forecastle, straining their eyes, to catch the first glance of the hull of the innermost cruiser detailed to patrol the bar that night. This patrolling the bar was sometimes very annoying to both outward and inward bound steamers, especially during the last two years of the war, when a very enterprising and vigilant officer by the name of Cushing [1] came on

[1] William Barker Cushing.

the station. With his little steamer the *Monticello* he would creep close in shore, in fact sometimes right on the bar, and make the outward bound steamer turn round and seek safety under the fort, and the inward bound steer off and wait for a better time to try it again. At last the gentlemanly and efficient commander of Fort Fisher, Colonel [William] Lamb, than whom no braver and vigilant officer ever held a commission, hit upon a happy expedient to keep the patrol at some distance, by what was called "shelling the bar." Immediately before the outward bound steamer started, before sundown, every gun bearing seawards from Fort Fisher, the Mound and all the minor batteries, were shotted and trained towards the bar and the approaches from seaward, by their respective gunners. Then when two or three steamers of the running fraternity had got close to Fort Fisher with a full head of steam on, the signal was given and some forty-five or fifty guns belched forth their fire smoke and missiles, making night hideous, and away like greyhounds loosened from the leash, sped the steamers, soon enveloped in the smoke of the guns, that lazily rolled away on the water before the gentle breeze, only to be seen again perhaps, fleeting past, by the lookout on board the flagship, riding gracefully at her anchors, some five miles off shore, wondering and debating with himself if it really was a vessel he saw or some phantom created by his imagination.

All the precautions that were taken when an outward bound steamer got under way, were taken in vain on the *Sumter* that night. The pilot in turning towards New Inlet bar (the northern entrance of the harbor) missed the channel across the "Rip," a shoal inside of Fort Fisher, and ran the ship hard and fast aground. All our exertions to get her off that tide proved unavailing, and there she lay until at least the next high water. Of course as soon as daylight came we were in full view of the fleet outside, Zeke Island,[1] a low sand beach only intervening between us and them, and their tops and mastheads were crowded that day with men, no doubt trying to find out, if that much dreaded vessel was really armed and fitted out as a cruiser. It took us two days to get off this shoal, after working at every high water day and night. But having consumed a large quantity of coal it was thought advisable, to go up as high as Fort Anderson and procure some wood for additional fuel. This done a new start was made for New Inlet bar a few nights later, but hardly had we got on the bar when we were greeted with such a storm of shot and shell by the blockading fleet, which had increased

[1] Zeek's Island lay west of south of Federal (Confederate) Point, on which were located Fort Fisher and the Mound Battery. Zeek's Island Battery formed one of the defences of New Inlet. A small sketch of the New Inlet defences will be found in *Official War Records*, Navies, IX. 58.

from six vessels the first day we came down to thirteen the night we made the second attempt, that it was impossible to get out. "Hard a starboard," was the order given, and once more we turned our prow riverwards. It was very aggravating as the moon by this time had become so large and the tide so low (neap), that it was impossible for us to make another attempt, before the next spring tides. So proceeding up the river far enough to be out of sight of the fleet, we quietly lay there for a week or ten days, passing our time slowly and disagreeably enough, speculating upon our chances of getting out safe, or upon a trip North at the expense of Uncle Sam, the latter by no means an agreeable prospect. At various times a good many of us had gone that route, not by any means willingly; and although quarters in Ludlow street jail, generally our first stopping place if bound to New York, were not so very bad as long as one had money enough to fee the jailor and his satellites, that did not last long. There loomed Fort Lafayette in the background, much dreaded by all of us, and the inscription over the gate, "Who enters here leaves hope behind," was interpreted in quite a different sense from what it was originally intended to convey! Well what with fishing, hunting, sailing on the river and an occasional trip to town, the time arrived at last, when our next attempt was to be made. This time we were going to try the northern Inlet, called "Old Bar," protected by Fort Caswell, and on a fine evening in November we started towards Smithville, a small village just above the mouth of the river, mostly inhabited by pilots and fishermen with their families, although one enterprising individual had erected some salt works there and did a paying business during the war. After our arrival here we had to anchor, and after procuring a new pilot we patiently waited until the moon should set. We were informed that only a few blockaders were off the bar, the greater number having gone around to New Inlet to wait for our coming out, as some negroes, that had stolen a boat and made their escape to the squadron a few nights previously, had no doubt informed the commander, that we were still inside, and he was under the impression that the northern entrance was too shallow for the *Sumter* to cross. Towards morning we got under way; but when close to Fort Caswell the new pilot again ran us aground on Diamond shoal. We got off in about an hour or so, but the day was so near at hand that the attempt had to be given up for that night. We lay close to Fort Caswell all day, in full sight of the fleet; and although we counted only five vessels off the bar in the morning, by evening three more had come around the shoal from New Inlet. Still we were determined to get out that night, and as soon as it was dark enough we started, got safe across the bar and were going full speed towards the fleet when by some

misunderstanding, between the pilot and the man at the wheel, the ship was run aground on one of the sand ledges running off Frying Pan Shoal, and stayed there in spite of all our exertions to back her off, the tide running strong ebb fastening her more securely every minute in the sand. Away from the protection of the forts, close to the blockading squadron, the hulls of which were plainly visible with the naked eye, our situation was exceedingly dangerous. Fortunately, the night was overclouded, a piercing cold North wind blowing and the moon, which we momentarily expected to rise, would not illumine the sky much. A boat was immediately despatched in charge of an officer to acquaint the Commander of Fort Caswell with our situation. All the other boats were got out and kept alongside the ship, after which every preparation was made to burn the latter, should the fleet discover us and send a boarding party off to capture her. In about half an hour, the boat returned from the fort, the commander of which advised us to throw all our cargo overboard and try to get the ship off. As he could not protect us from the fort he promised to run some Whitworth guns down the beach opposite to our ship, and have also telegraphers send to Commodore Lynch [1] at Smithville, for two armed launches and a company of marines and sailors to come off for our protection. To throw the cargo (cotton) overboard was out of the question, as it would lighten the ship very little if any astern. A small anchor was run out to prevent the steamer from working any farther on the shoal, and by the time that was done the two launches with about fifty men, fully armed, came alongside. After they had got on board, all we could do was to watch and wait, as the tide would not commence to rise until about morning. It was one of the most miserable nights I ever spent, and I have lived through some bad ones. Only recently recovered from a severe illness, and suffering at that time of chills and fever, a wretched headache driving me nearly mad, I was hardly in the proper frame to engage in a hand to hand fight, with a boarding party. Still the men were placed in proper positions to repel them, if we were discovered, and so the night wore on. Why they did not see us, has always been an enigma to me because, after the moon rose, we saw every one of their vessels plainly moving about. Perhaps to the extreme coldness of the night, we were indebted for our salvation. At four o'clock in the morning the ship commenced to move in the bed she had made in the sand, and after the engines had worked astern about half an hour, to our great relief she came off, and an hour later we were once more safely moored inside of Fort Caswell. That day our pilot left us, the third we had since leaving town. And here let me remark that, with a

[1] William F. Lynch, but he was not a commodore.

few honorable exceptions, the pilots belonging to the port of Wilmington during the war, were a worthless and miserable set of men, asking and receiving enormous prices for their services of about half an hour each trip. They caused the loss of many a fine steamer, and were invariably the first to desert their station, if any accident happened. Often when a captain after considerable difficulty had got his ship close to the bar, they were incapable of piloting her safely in, caused by the fear that their precious bodies might be hurt, by the few shots or shells that occasionally came whistling across the steamer's deck, and, by looking too much behind instead of before them, the steamer ran aground on some of the shoals surrounding the bar. Then after getting the vessel ashore, if not compelled by force to perform their duty, they were apt to make a dash for the boats. If the lowering process of the latter was too slow for their fears, and the vessel near enough to the beach, a jump overboard and a swim ashore followed, and that generally was the last of the brave and noble pilot. I remember in the fall of [ ] a splendid new steamer, on her first voyage from England coming on the coast bound to Wilmington, N. C. She was commanded by an able and efficient officer, who had proved his courage and coolness years before in the batteries at the siege of Sebastopol, where he and his gallant crew fought a hand to hand fight over their guns with a storming party of Muscovites and, although ordered to retreat, he succeeded in repulsing the sortie and so saving his battery of fine guns.[1] A good seaman and navigator, he brought his ship under the very walls of Fort Fisher, when the pilot, a man by the name of Price, took charge and ran her on the north breaker of New Inlet bar; the moment after striking he jumped overboard and swam ashore a distance of about 150 yards. Unfortunately neither the captain nor any of his officers or crew had ever been on that coast before, and consequently did not know that they were perfectly safe from the fleet in the position they were in. Seeing the pilot leaving in such haste, they naturally concluded that they were liable to immediate capture or the breaking up of the ship. The crew were ordered to lower the boats, and now comes the saddest part of the whole affair. A New Orleans lady, Mrs. G.,[2] returning from a European tour, taken in the service and on account of the Confederate States Government, was a passenger on board coming back to see her family once more, from which she had been a long time separated.

[1] This officer was Augustus Charles Hobart-Hampden, commonly known as Hobart Pasha (1822–1886), who commanded blockade-runners as "Captain Roberts." In 1867 he published *Never Caught*, an account of his adventures in that service, using Roberts as a pen-name, and this was included in his posthumously printed *Sketches from my Life*, 1887.

[2] See p. 284, *supra*.

She was placed in the first boat that left the ship, but it was no sooner clear from the tackles than it capsized, and it was only in the afternoon of the next day that her body was found on the beach! The steamer lay there for days. A detachment of soldiers from the Fort took possession and discharged her, and if the pilot had not lost every bit of sense he ever possessed, and had explained to the Captain the exact position of the steamer, probably both ship and cargo would have been saved; or if not that, no lives would have been sacrificed; because at a proper state of the tide the sea was quite smooth between the steamer and the beach.

We on board of the *Sumter* succeeded, after the delay of two days and considerable difficulty, in engaging another pilot, who for the moderate(?) sum of five hundred dollars in gold consented to pilot us as far as New Inlet bar, but who could not be persuaded to proceed to sea on the ship. They (the pilots) were getting afraid of her, thought she would never be able to get out, or succeeding in that sure to be captured. Deep-loaded when inward bound, we had been unable to lay in a stock of Welsh coal, which makes no smoke, sufficient for our return trip, and had been obliged in Wilmington to fill our bunkers with Tennessee coal which always left a heavy cloud of smoke behind a steamer using it for fuel and could be seen miles and miles on a clear day. This, her deep draft, her large size and the well-known determination of the blockading fleet to prevent her safe egress, made the pilots exceedingly shy to proceed to sea in her. But as we were completely disgusted with all the mishaps that had already befallen us, and determined to get out whilst there was no moon, we did not care how far he went, as long as we got safely across the bar. So we accepted his services; and having stayed at Smithville, in full sight of the fleet on the North West until dusk, we got underway soon afterwards, proceeded up the river and shaped our course for the Northern bar. Fortunately the night promised to be dark with every appearance of a S. W. blow; and no sooner had we got on the bar and discharged our pilot, than the full force of the gale burst upon us. Standing on the quarter-deck and holding on to the mizzen shrouds, close to the man at the wheel, the rain pouring down in torrents, the steadily increasing gale howling and whistling through our rigging, the steamer gaining more and more speed as sail upon sail was unfurled, the rising waves sometimes playfully running as if for a race alongside, at other times breaking with a loud noise on either side covering the surface of the sea with a white foam, whose phosphoric light made the dark night appear still darker, I felt all

> The exulting sense — the pulses's maddening play
> That thrills the wanderer on that trackless way.

No fear of the blockading fleet on such a night stopping us, all we had to look out for was *not to run over one [of] them;* and the next half hour relieved us even of this apprehension, for dimly in the darkness we caught sight of the flagship's lantern rising and falling with the motion of the ship as she lay straining her cables, pitching and tossing in a sea that grew momentarily higher and higher. Three days later the *Sumter* was rounding the south side of Bermuda, and shortly afterwards dropped her anchor in the harbor of St. George's;[1] two days' detention here to lay in a supply of coals and she left that port for England. After a rapid run of thirteen days she arrived safe in Liverpool, and here her history ends. She was laid up for the rest of the war. When that ended, she was given up to the United States Government which sold her to a mercantile house in Hull. They fitted her out for the cattle-trade on the Baltic sea; but she did not long survive the disgrace, as she was lost on her first voyage.

The PRESIDENT read some comments upon

GENERAL CRAUFURD'S MARCH.

In a paper submitted at our October meeting I discussed a number of topics connected with the strategy and literature of our Revolutionary Campaign of 1777. I therein also incidentally made somewhat extended reference to the statements of Sir William Napier in his History of the War in the Peninsula, as to a certain march of General Robert Craufurd's famous Light Brigade, or Division, in which it is alleged, with the utmost particularity of detail, that a distance of sixty-two miles was covered by the Brigade in twenty-six hours.[2] The proposition was startling; but, coming from a writer of the unquestioned military experience and authority of Sir William Napier, himself at the time an officer in Craufurd's command and presumably a participant in the march described, no stronger or more direct evidence seemed possible. The narrative had apparently to be accepted as incontrovertible; and I so accepted it. None the less, on further reflection, I found myself compelled to the conclusion that in it there was some element of error. Such a march, under the conditions stated, seemed humanly impossible.

[1] The firm of William Campbell, of Bermuda, under date December 2, reported the arrival of the *Gibraltar*, from Wilmington. *Official War Records*, Navies, IX. 338.

[2] *Supra*, 38.

For two reasons, both good and sufficient, I now recur to the topic. Not only, as I shall presently show, was I correct in my surmise that Sir William Napier was wide of the actual facts, but the point raised is one of considerable historical importance in connection with all military narratives. It goes to the essence of what is known as mobility — always a prime factor in warfare, and one concerning which the vaguest possible ideas are entertained and the wildest assertions are made, not only by civilians but by soldiers of great practical experience. Of this the incidents now about to be referred to furnish a most striking illustration, — an illustration which might with advantage be brought to the notice of all who undertake to deal historically with operations in warfare.

Napier's statement, and it is a very interesting statement, stands thus in the last edition of his famous History (II. 178–179), that, revised by himself, published in 1851:

The 29th, at day-break, the French army quitted its position, and before six o'clock was again in order of battle behind the Alberche. That day Robert Craufurd reached the English camp, with the forty-third, fifty-second and ninety-fifth regiments, and immediately took charge of the outposts. Those troops had been, after a march of twenty miles, hutted near Malpartida de Placencia when the alarm caused by the Spanish fugitives spread to that part; Craufurd, fearing for the army, allowed only a few hours' rest, and then withdrawing about fifty of the weakest from the ranks, re-commenced his march with a resolution not to halt until the field of battle was reached. As the brigade advanced crowds of the runaways were met with, not all Spaniards, but all propagating the vilest falsehoods: "*the army was defeated*," — "*Sir Arthur Wellesley was killed*," — "*the French were only a few miles distant*"; nay, some, blinded by their fears, pretended to point out the enemy's advanced posts on the nearest hills. Indignant at this shameful scene, the troops hastened rather than slackened their impetuous pace, and leaving only seventeen stragglers behind, in twenty-six hours crossed the field of battle in a close and compact body; having in that time passed over sixty-two English miles in the hottest season of the year, each man carrying from fifty to sixty pounds weight upon his shoulders. Had the historian Gibbon known of such a march, he would have spared his sneer about the "delicacy of modern soldiers!" [1]

[1] Commenting on the foregoing, Colonel Morse wrote me as follows, from Kansas City, under date of December 30:

"In regard to the remarkable march of Gen'l Craufurd's Light Division I

That even an individual pedestrian in good physical training could in twenty-six hours cover sixty-two miles of rough country roads in the hottest season of the Spanish year, carrying fifty pounds on his person or in his hands, is sufficiently difficult to believe; that a body of men two thousand in number, marching in column, could accomplish such a feat seems incredible. Allowing three hours only out of the twenty-six for halts of necessity, with no allowance whatever for rest or sleep, an average movement of two and seven-tenths miles an hour is implied, day and night, over bad roads. Nor apparently am I the first in whose mind this statement of Napier's has excited surprise and suspicion; for, in his spirited narrative, published in 1900, entitled *How England Saved Europe*, the Rev. William Harry Fitchett says, "Much controversial ink has been shed as to the exact facts of this famous march" (III. 169). Fitchett, writing a full half-century after Napier, then, however, adds, "the truth seems to be at last proved beyond reasonable doubt," that the brigade "covered sixty-two miles in twenty-six hours."

Still unconvinced, but unable to suggest a plausible solution of the problem I decided to have recourse to the latest and highest authority on all topics connected with the Peninsular campaigns, Professor C. W. C. Oman. Though recently chosen one of our Corresponding Members, few in this country, I imagine, have had occasion even to consult Professor Oman's truly monumental work, and probably not one is familiar with

think Napier must have been misinformed as to the facts, either as to the distance, the time or the load carried by the men. Sixty-two miles in twenty-six hours would mean an average march of about 2.37 miles per hour, which would I think be about the speed limit for a crack division if there were no halts and the men in absolutely light marching order, *i. e.*, with only muskets, equipments and say forty rounds of ammunition. It might have been possible where roads were good to make even three miles an hour for a time by forcing the rear regiments to a double quick if no load was carried, but sixty pounds is a heavy load, and men simply could not have kept up such a rate of marching with it. I doubt whether the English soldiers were any stronger or tougher than our best troops in the Civil War and I feel sure that they could not at any time have made such a march and carried such a load.

"The Western troops as a whole marched better than our Eastern armies, but with their great experience in covering hundreds of miles of country they had brought their load down to a minimum, and I doubt if they carried an average of more than twenty-five pounds. If Napier's statement is correct, we shall have to admit that the men of that period were stronger and abler as marching soldiers than those of the present day, which I am not yet prepared to believe."

it.[1] Professor Oman is following in the footsteps of Napier, and his subject is one which, it is assumed, Napier exhausted. I will merely say, the last is not the case. As his title indicates, Professor Oman is of the "bookish theorick" class, but his work, so far as it has yet gone — to 1810 only — leaves nothing to be desired as respects calm judgment brought to bear on the results of a research apparently no less microscopic than general. Any future gleaner in that field will, however, it is tolerably safe to say, find little to reward his labors. Professor Oman's work, like that of Freeman in the case of the Norman Conquest, bears the mark of finality.

The passage relating to the Talavera march of Robert Craufurd's brigade reads thus:

> At about six o'clock [on the morning of July 29] Robert Craufurd came upon the scene with the three regiments of his Light Brigade — all old battalions who had shared in Moore's Corunna campaign. . . . But the Light Brigade were almost as weary as their comrades who had fought in the battle; they had only reached Talavera by a forced march of unexampled severity. Hearing at Naval Moral that the two armies were in presence, Robert Craufurd had hurried forward with almost incredible swiftness. Dropping his baggage and a few weakly men at Oropesa he had marched forty-three miles in twenty-two hours, though the day was hot and every soldier carried some fifty pounds' weight upon his back. All day long the cannon was heard growling in the distance, and at short intervals the brigade kept meeting parties of Spanish fugitives, interspersed with British sutlers and commissaries, who gave the most dismal accounts of the progress of the fight. In spite of his desperate efforts to get up in time Craufurd reached the field thirteen hours too late, and heard to his intense chagrin that the battle had been won without his aid. Weary though his men were, they were at once hurried to the front, to relieve A. Campbell's division on the line of advanced posts. There they found plenty of employment in burying the dead, and in gathering up the French wounded, whom it was necessary to protect from the fury of the Spanish peasantry.[2]

In a footnote to this passage, Professor Oman emphasized the statement that the distance covered in this march "was forty-three miles, not as W. Napier states sixty-two." Professor Oman thus reduced the march to limits not impossible of ac-

[1] *History of the Peninsular War*, of which three volumes have appeared.
[2] *Ib.* II. 560–561.

ceptance, though he has not given his authority for so doing. Accordingly, resolved to sift the thing, if possible, to a residuum of fact and truth, I wrote to Professor Oman, setting forth my difficulty, and, sending him a copy of our October Serial, called his attention to Colonel Morse's letter of November 2, 1910.

The response, dated from Oxford, December 24, was prompt, illuminating and conclusive. I give it in full.

I am very much pleased to be able to resolve a query for you. I have the correspondence of two of Craufurd's veterans, Bell and Shaw-Kennedy, who being puzzled at Napier's startling figures worked out a correction of them. The letters came into my hands by chance a few years ago.

I think that Bell conclusively proved that the actual distance of the forced march was only 36 miles, *viz.*: from Naval Moral to Talavera, and that the other 26 miles from Malpartida to Naval Moral was made on the previous days. He fortifies his own memory by the diary of a brother officer, Cox, which runs as follows:

25th July. Moved over a plain to the village of Malpartida.

26th July. Had a most fatiguing march to the Venta de Bazagona, where the river Tietar is crossed by a flying bridge.

27th. Venta de Bazagona to Naval Moral, heat oppressive.

28th. Marched at daylight, and had reached La Calzada when a express met us from the C.-in-chief ordering us to proceed *without delay* to his position on the Alberche near Talavera de la Reyna. After a short rest we proceeded to Oropesa, halting there four hours. We had already done 26 miles under a burning sun. The bugles sounded "fall in," and onwards we marched, and completed 30 miles before night was over! We arrived at Talavera in the morning having covered 56 miles in 25 hours.

Bell writes on this "Time correct, but an absurd over-estimate of distance. The four best maps of Spain, which I have measured, give distances varying from 33½ to 42 miles only between Naval Moral and Talavera. Malpartida is 62 miles from Talavera, but we had left it on the 25th, and two easy stages had taken us to Naval Moral. The real distances are, Malpartida to Venta de Bazagona 17½ miles, Bazagona to Naval Moral 14½ miles, Naval Moral to Oropesa 15, Oropesa to Talavera 21."

Bell states that the twenty-six hours were from three A. M. on the morning of the 28th to five A. M. on the morning of the 29th of July. There may be two more miles added to the distance, because the brigade went beyond Talavera and placed its line of pickets on

the Alberche river, across which the French had retired. "Had Napier substituted Naval Moral for Malpartida — thirty-nine miles or so for sixty-two, he would have been unassailable. A regard for *military truth* requires that such illusions should be got rid of." He says that there were two rests, four hours at Oropesa at or about noon, and two hours in the night "near a muddy pond," locality unknown. The brigade also halted for five minutes at every hour, according to regular practice. This makes six hours in two long halts, and two and one-sixth hours in the normal short halts, and reduces the actual marching time to seventeen and five-sixths hours, showing that the troops did an average of two miles or a trifle over if the distance was thirty-eight or thirty-nine miles in all. Half the march was in the night, which accounts for the slow pace.

William Napier did not do the march with his company. Shaw-Kennedy writes: "He was sick at Placencia with pleurisy when a rumour of battle and defeat reached him. Arriving in haste he *walked* in a high fever over forty miles to Oropesa, where he got a horse, and rode from thence to Talavera, where he reeled from the saddle with sickness and fatigue and lay unconscious." An officer of the 45th then took him on a mule to the camp of his regiment. He therefore knew nothing of the actual march of the brigade, and was not in a state to catch names of places or calculate distances. Bell says that the whole story of the sixty-two mile march came from his making the verbal mistake of "Malpartida" for "Naval Moral" as the place that the brigade started from — he not being with it.

Step by step, therefore, the much vaunted march of the Light Brigade thus stands reduced from sixty-two miles in twenty-six hours to thirty-six miles in the same number of hours, with the regulation halts of five minutes in each hour for necessary purposes, and two longer rests, one of four, the other of two hours. Making these deductions, aggregating eight hours, it would appear that the brigade, when actually in motion, covered on this occasion an average of just two miles an hour. For a forced march the record is good; but in no respect will it bear comparison with that of the Sixth Corps of the Army of the Potomac when on its way to Gettysburg in July, 1863.[1] The Sixth Corps was as a body probably seven times more numerous than the Light Brigade. It was also as heavily equipped, and moved under a Pennsylvania midsummer sun, not less trying than the midsummer

[1] *Supra*, 38*n*.

sun in Spain. It covered an equal distance in less time, and enjoyed neither of the two longer rests permitted to Craufurd's men.

The receipt of the above letter from Professor Oman gave me great satisfaction, amounting almost to a sense of relief. That it cleared up a puzzling mystery, proving that I was right in my incredulity over the Napier rendering of an incident at best difficult of belief, was a small matter; but it went beyond that — far beyond. It illustrates in a striking way the inaccuracies which creep into all historical narratives of even the highest authority, and the caution with which any statement of an exceptional nature should by investigators always be received. A more striking illustration could hardly be found.

Recurring to the general subject, — the rapidity with which ground can be covered by an infantry column, whether marching to meet an enemy or in marching away from him, — I think it may be considered as settled that the average rate of movement of a large column of infantry marching over fairly good roads under conditions in no way unfavorable, is two miles an hour, and that three miles an hour is a pace wholly exceptional, which cannot long be maintained. An average day's march, kept up through several consecutive days, may be set down as fifteen miles. Under wholly exceptional circumstances thirty miles, or possibly even thirty-six miles, may be covered in twenty-four hours. As bearing on this point I now put on record a comparatively recent experience drawn from our War of Secession.

It will be remembered that in his letter of November 2d, printed in our *Proceedings*,[1] Colonel C. F. Morse made a reference to Banks's retreat from the Shenandoah valley in May, 1862, when the Second Massachusetts Regiment, leaving Strasburg at 11 A. M. on the 24th, reached the Potomac at Williamsport at eleven o'clock the next night. They had covered a distance of fifty-six miles in thirty-six hours. This statement caused me to turn to General George H. Gordon's account of the same movement.[2] General Gordon's story of that "withdrawal" — as it was euphemistically called — is instructive

[1] *Supra*, p. 63.

[2] Gordon, *History of the Second Massachusetts Regiment of Infantry*, 3d paper.

reading. Those of us then living will remember how the country rang with admiration over Banks's "magnificent retreat," as it was termed. He saved not only the force under his command, but his artillery, and nearly all of a wagon train some eight miles in length. Gordon's account of that episode opens with a somewhat pitiable exhibition of the military incompetence of the commanding officer. As the outcome of one of "Stonewall" Jackson's remarkable movements in a country with which he was wholly familiar, the force under General Banks, isolated at Strasburg, was in imminent danger of destruction or capture. Those better informed on military subjects than himself, anticipating trouble of a very serious character, urged upon the Major-General commanding a withdrawal to Winchester, as a place of greater safety and a more advantageous point at which to give battle, should a battle prove advisable, than Strasburg. Banks, however, persistently refused to yield either to solicitation or to entreaty. His uniform response to such was, "Sir, I must develop the force of the enemy." Finally, when urged to the uttermost, he gave utterance to a characteristic exclamation: "I will not retreat. We have more to fear, sir, from the opinions of our friends than the bayonets of our enemies." In other words, a political general in an entirely false position, as a commander he did not, with danger immediately impending, know what to do; and, consequently, did the worst thing possible — nothing! In closing his account of the precipitate march which shortly ensued, General Gordon says, speaking of the brigade which he himself commanded, and which included the Second Massachusetts, after a three hours' morning fight, "my brigade marched thirty-six miles in about twelve hours" (p. 135). This, it will be noticed, doubles the record actually made by Robert Craufurd's division (*supra*, 301); and, apparently, negatives the general conclusions just drawn. In fact, however, it confirms them, as appears from the following extract from a letter from Colonel C. F. Morse in reply to one in which I called his attention to the passage in General Gordon's book. Answering under date of January 11, Colonel Morse says:

This statement [of General Gordon's] requires certain explanation. . . . In my own Letters, of which you have a copy, in describing the events of the battle and retreat from Winchester I say "We

marched twenty-three miles to Martinsburgh without a halt.[1] There we rested for about ten minutes, then marched on to the Potomac thirteen miles further. . . . We brought up here between seven and eight P. M. after twelve hours incessant marching." This letter describes how [on the morning of the day referred to by General Gordon] we were driven from our position [at Winchester] by a great flanking force which stretched for about a mile parallel to our line of retreat and how we were double-quicked for several miles until we were clear of it. During this part of the retreat the men generally, threw everything away, knapsacks, overcoats, haversacks, all in fact except rifles and equipments, and those who were short of wind sat down and were captured. Every one had a very healthy fear of rebel bayonets in those early days, and the yells and cannon shots in the rear were a good spur to keep men moving rapidly. The retreat in no way resembled an ordinary march; the men were spread out over the fields and woods on both sides of the road and were in the loosest sort of marching dis-order. In my own case, I remember very well that I never halted until reaching Martinsburgh, and did not during that twenty-three miles get a drop of water or a bit of food. The men of the regiment were fairly well together, but in no order by companies. When I say that we got to the Potomac between seven and eight P. M. that night, I presume that meant the earliest arrivals, and do not doubt that the last of the men may have been several hours later. Quint in his History of the Second Regiment tells about the same story, and I enclose copy of a letter from James Savage to his father which gives his account of the retreat.[2] We certainly were driven from the hills south of Winchester after two or three hours fighting in the early morning of Sunday, May 25, 1862, and laid down near the banks of the Potomac the evening of that day. Perhaps the quickest time may have been not far from twelve hours and it ranged from this up to fifteen hours. But this was not *marching* in the actual sense of the word, it was jogging along every man for himself with a minimum of impedimenta, with a rebel gun in the rear and distinct visions of bayonets and Libby prison.

When we marched from Williamsport to Martinsburgh in July of the preceding year we took most all day for the thirteen miles and thought it a pretty hard march to begin with, under the hot sun.

The PRESIDENT stated that some time since, in reading a recently published biography of Henry Clay, by Thomas

[1] *Letters of C. F. Morse*, 61.

[2] The letter here referred to was communicated to the Society by Mrs. W. B. Rogers, sister of the writer, in June, 1907; see *Proceedings*, XLI. 117.

H. Clay, his attention had been drawn to a note on page 77 *n*, containing an extract from a letter of Jonathan Russell. Interested by the extract, he had written to Mrs. Thomas H. Clay, asking permission to see the entire letter. Mrs. Clay courteously acceded to his request, and he subsequently turned the letter over to the Editor of the Society, with a suggestion that he would look into the matter, in so far as it had an historical interest. This has been done, and the examination threw a curious and somewhat interesting light on a forgotten episode in American political history.

The following is the memorandum prepared by Mr. FORD:

The letter of Jonathan Russell to Henry Clay was issued as a printed broadside in 1827, for use in the political campaign of that year. It is printed on a sheet of newspaper size, and on the second leaf in MS. are the letters from Duff Green, who was unquestionably responsible for its issue. This particular copy, from which our reprint is made, was addressed to Amos Kendall, then editor of the *Frankfort Argus*, and appears to have been sent by the hand of Francis P. Blair, afterwards the editor of the *Globe*, the Jackson organ in Washington. By some chance the paper, bearing the names of three most inveterate enemies of Clay, and intended to drive him from office and so destroy his chances for the Presidency, passed into the hands of Clay himself, and has been preserved by his descendants.

The date of Green's letter is shown by the postmark to have been October 3. He refers to a series of letters from Kendall to Clay, which is known to have appeared in October, 1827, and to which the following reference has been found:

> A new censor of Mr. Clay's political conduct, especially that part of it which relates to the election of President in January, 1825, has appeared in the west. A Mr. Kendall, late editor, we believe, of the Kentucky Argus, has addressed a long letter to Mr. Clay, censuring his course in that transaction, and stating some facts not before developed; and the letter is published in a Kentucky paper. Others are to follow. The letter is a long one, and written with considerable ability.[1]

It will be recalled that Russell was a member of the commission for negotiating the treaty of peace with Great Britain in 1814 — the treaty of Ghent — and on which the name of

[1] *Boston Commercial Gazette*, October 18, 1827.

John Quincy Adams stood first. Political exigencies had made Gallatin the last member of the commission. Of the constitution of this body, Henry Adams says:

Gallatin was peculiarly fitted to moderate a discordant body like the negotiators, while Adams was by temperament little suited to the post of moderator, and by circumstances ill-qualified to appear as a proper representative of the commission in the eyes of its other members. Unless Gallatin were one of the loftiest characters and most loyal natures ever seen in American politics, Adams's chance of success in controlling the board was not in their reasonable hope. Gallatin was six years the senior, and represented the President, with the authority of close and continuous personal friendship. The board, including Adams himself, instinctively bowed to Gallatin's authority; but they were deferential to no one else, least of all to their nominal head. Bayard, whose age was the same as that of Adams, was still in name a Federalist; and although his party trusted him little more than it trusted Adams or William Pinkney, who had avowedly become Republicans, he was not the more disposed to follow Adams's leadership. Clay, though ten years their junior, was the most difficult of all to control; and Jonathan Russell, though a New Englander, preferred Clay's social charm, and perhaps also his political prospects, to the somewhat repellent temper and more than doubtful popularity of Adams.[1]

Russell's letter was written ten months after the signing of the treaty of Ghent, and while Adams was in London, the Envoy Extraordinary and Minister Plenipotentiary to Great Britain, and a commissioner with Clay and Gallatin to frame a treaty of commerce between the United States and Great Britain; but his share in that negotiation was not important, as the preliminaries had been settled before his coming to London. Clay left London in July for the United States, and shortly after, Russell, now returned to his diplomatic post in Sweden, wrote this letter. That it is only one of a number of interchanges of views between the two commissioners cannot be doubted, and Clay at this time aspired to be Secretary of State under the new administration that would come into being in 1817. Russell so far favored his wishes as to make a deliberate effort to prevent the appointment of Adams, and had the address to enlist Crowninshield in the exertion.

[1] *History of the United States*, 1801–1817, IX. 15. Russell was appointed for his commercial knowledge.

How far he [Russell] felt interested in his [Adams's] exclusion is difficult to decide. There is much reason to believe that he also urged the appointment of Mr. Clay to the State Department. I believe Mr. Monroe's confidential advisers from Virginia were laboring in the same vocation, some from proper and others from interested motives, which you will be able to conceive. After the explanation of his views to me, he could not for a moment have thought of Mr. Clay for the State Department without having previously made up his mind to lose my good opinion and, of course, my services; because every reason assigned against my going into the Department of State operated stronger against Mr. Clay than against me. These reasons, as you will conceive, were all of a political nature, and existed in a stronger degree against him than against any other person brought into view for that office.[1]

The second letter now printed, of Russell to John Quincy Adams, written only sixteen days after that to Clay, offers a partial explanation of the language in that of earlier date.

Duff Green to Amos Kendall.

[Washington, October 3, 1827.][2]

Dear Sir, — I send you en[closed a copy of a letter sent] by Mr. Jonathan Russell to Mr. Clay. It has been placed in my hands for publication as part of an address which Mr. Russell feels himself constrained to make in reply to the address of the Central Committee and Mr. Clay's letter to Mr. Kendall published by the latter in his fifth letter to Mr. Clay.

Mr. Russell holds a letter from Mr. Clay acknowledging the receipt, and there can be no doubt that the portrait here drawn of Mr. Adams is the very likeness which Mr. Clay himself would have drawn. The whole will be laid before the public in a few days. Mr. Russell was induced to sue Seth Hunt for a libel published by Hunt. That suit is now pending in New York and is to come on for trial on the 10th inst. Mr. Russell wishes that suit to be decided on its merits, and his Counsel advise him to withhold the publication until after the trial.[3] I feel authorized however to send you the enclosed with permission to publish provided it be kept back so as not to reach

[1] *Crawford to Gallatin*, March 12, 1817. *Writings of Gallatin*, II. 26.

[2] This date is taken from the postmark.

[3] In 1822 the *New York Statesman* published a letter signed "Ariel" charging Russell with having speculated for pecuniary profit upon information which he gave to commercial houses at the negotiation of Ghent. On demanding the name of the writer, Russell learned that it was Seth Hunt, who avowed the authorship and was prosecuted by Russell both by action and by indictment. The suit extended

New York before the probable termination of the suit. For my own part I do not see how Mr. Adams can retain Mr. Clay in the Cabinet after these disclosures. Mr. Russell attributes Clay's desertion of him to his preference for Mr. Crawford. I am, etc.

D. GREEN.

The above is a copy of a Circular which I have sent to several of our political friends in the West. You are at liberty to publish it or to make such use of it as you please. 'Spare the feelings of Russell. His pamphlet [1] is severe upon Clay and must demolish what little of Character Clay and Adams retain.

All goes well in the North. You may rest assured that Mr. Adams will not exceed sixty Votes East of the Mountains and I trust that will be his limit.[2] Let me hear from you often, and at least once a day whilst the Canvas in coming in. Health and victory to you and the gallant band who are with you. How are Pope [3] and Johnson [4] doing? No Schisms I hope. Yours truly,

D. GREEN.

COPY OF A LETTER FROM MR. RUSSELL TO MR. CLAY, DATED

STOCKHOLM, 15th October, 1815.

MY DEAR SIR, — Your letter, begun on the 10th of May, and concluded on the 1st of July last, reached me, some time since. It is the more prized by me, as it is the only one I have received from my late colleagues since my departure from Paris, and of course contains the only authentic information that I have hitherto received, of the exercise of the joint powers for negotiating a commercial treaty with Great Britain.

I was extremely embarrassed previous to leaving Paris, in selecting the course which I ought to pursue. I was prepared to follow my duty whithersoever it might lead me, and to repair to London upon a reasonable prospect of the institution of a commercial negotiation there. In the state of doubt and uncertainty in which I found

over many years, and greatly embittered the latter years of Russell's life, if it did not, indeed, contribute to his death in 1832.

[1] No pamphlet answering this description has been traced.

[2] Adams received eighty-three electoral votes, against one hundred and seventy-eight for Jackson. Not one vote was cast for Adams south of the Potomac or west of the Alleghanies.

[3] John Pope (1770–1842), a federalist who followed the fortunes of the rising Democratic party under Jackson.

[4] Richard Mentor Johnson (1781–1850), at this time a Senator from Kentucky, but after 1829 to serve in the House of Representatives, until chosen to the Vice-Presidency by the Senate, in 1837.

myself on this subject I was indeed very solicitous to hear from you; and although it was rather too strong to say that I was *dissatisfied* with you for not writing me, yet I certainly regretted your silence. I believed, however, that you would have written me, had you discovered any disposition in the other party to enter into a commercial arrangement; and your not having done so, contributed, with other considerations, to persuade me that no such arrangement would be made, and to determine me to return to this country.

We had never, before or after leaving Ghent, perceived the slightest disposition on the part of Great Britain to enter with us into a commercial negotiation, although *repeatedly* assailed by us on that subject. Lord Castlereagh, in an interview with Mr. Bayard at Paris, expressed himself very explicitly against the expediency of commercial treaties in general; thereby inducing Mr. Bayard to believe that there was no intention of concluding one with the United States. After the time had passed at which you had announced an expected interview with Lord Castlereagh at London, you wrote to Mr. Bayard without the faintest intimation of the result of that meeting, other than might be inferred from the inquiry which you made relative to the movements of the *Neptune*, and of the indication of your intention to embark at Liverpool, rather than to protract, on her account, your residence in England. These circumstances, added to your silence towards me, left no room to doubt that the joint mission had absolutely terminated; especially as the ratification of the treaty of peace, by the President and Senate, had been already known in Europe for nearly a month. I hope, therefore, that you may not only be satisfied of the correctness of my views, in my returning hither, and not participating in your labors at London, but that you will be disposed, should the occasion require it, to vindicate me herein, with those to whom I am responsible for my official conduct.

The treaty of commerce, which you have made, appears to me, as far as it goes, to be a good one.[1] The provision which stipulates for the mutual abolition of the discriminating duties, I consider to be very important to us, and I can but regret that its operation is limited to the brief period of four years. This provision, however, is a great point gained, and may not only lead the way to a more permanent regulation on the subject with England herself, but will have a salutary influence on our negotiations with other nations. I am fully persuaded, from some experience and much observation, that the sagacity, skill, and enterprise of our fellow citizens, will always secure the ascendant in a free commercial competition, and

[1] Concluded July 3, 1815, and proclaimed December 22, 1815. Its provisions are still in force. *Treaties and Conventions* (1889), 410.

that we shall always have the advantage in every advancement towards liberal principles. I hope that Great Britain will not make this discovery before the expiration of the four years. The provision relative to the trade with the British East Indies, so far as it frees us from the restriction of the direct voyage, is certainly a point gained, although the interests of Great Britain herself will, I doubt not, always guarantee to us a participation of that commerce. I was a little surprised that there was no provision in the treaty for the regulation of the intercourse between the United States and the British North American Colonies. If I remember correctly, the immediate necessity of such a provision was the chief, if not the *only ostensible* reason urged by Mr. Gallatin for pressing a commercial negotiation. I believe, however, that it will be always within our power to bring Great Britain to terms on that subject, and that it may be less difficult for us to prevent smugglers and Indian incendiaries, without a treaty on that point, than with one.

I have had much curiosity to know the various anecdotes which grew out of the negotiation at London. If any thing was agitated in relation to the navigation of the Mississippi, the fishing liberty, and Indian commerce, I should, indeed, have lamented my return to Sweden had it left you in the minority on these questions. As nothing, however, has been concluded with respect to them, I am reconciled to the course which I have pursued. As to the questions of maritime rights, I was aware that it was not the time to touch them to advantage.

If the government do not blame me for not having assisted at the commercial treaty, and I confidently trust it will not, I shall have nothing to regret. The responsibility and *dêsagrêmens* of the transaction were certain — the honor, even in case of a successful issue, precarious. Mr. —— and Mr. —— have both acquainted me that a very general opinion appeared to prevail in the United States, that the whole of the credit of the negotiation at Ghent, belonged to two *principal* members of the American mission. —— and —— had very good naturedly expressed their indignation at so unjust an opinion, and combated it accordingly. They were certainly very candid in doing so, and are entitled to the thanks of the three Commissioners whose reputation they attempted to vindicate. I believe, however, that public opinion is not long unjust, and that at last it generally corrects itself. They do not mention the names of the two great personages, and thus, perhaps, leave it to our vanity to designate them. It might be fair enough, therefore, for you and me to claim this distinction, if it were not too obvious that some little pitiful tricks had been practised to create it. Of these I know we are both incapable; and I am obliged, therefore, for your sake

and my own, to renounce our claims to this monopoly of public applause. It is a pity, indeed, that the public should be deceived on this occasion: not so much because its error is injurious to us, as this would perhaps be an evil of very limited extent; but because it gives a false and factitious importance to others, which may be abused in their race for popularity to unrighteous purposes, in which the whole nation is concerned. If, therefore, the person [1] who has found it somewhat difficult to support the reputation of great talents by the production of any thing great in the department which he has administered; who shrunk from the duties of that department on the first approach of difficulty; whose political firmness and integrity are at least equivocal, and whose origin proscribes him in the honest prejudices of the nation, should, in despair of exercising directly himself the powers of the Chief Magistracy, seek for some convenient individual to fill that station, whom he might manage and control and move as *a showman his puppets at Paris*: If the individual [2] thus sought, should be a kind of laborious pedant, without judgment enough to be useful, or taste sufficient to be admired; who is suspected of forgetting his country in the pursuit of little personal or family interests; and who is known frequently to forget himself in a paroxysm of unmanageable passion; who has had the virtue to mask his participation in the resentments of his father, under the affectation of patriotism, and the patriotism to desert his party when it had lost its power; who adopts the most extravagant opinions in the hectic of the moment, and defends them with obstinacy and vehemence while the fever lasts, and thus reduces himself to the miserable alternative of being constantly absurd or ridiculously inconsistent; who has neither dignity to command, nor address to persuade, and is therefore as unqualified to rule others as he is to govern himself; who believes the national prosperity to consist in the prosperity of a district, and circumscribes his love of country within the confines of the State in which he was born; who would barter the patriotic blood of the West for blubber, and exchange ultra-Alleghany scalps for codfish; who inherits "a vanity without bounds, and a jealousy that discolors every thing" — who — But enough! I say if all this should be so — and these two men should have formed a felonious conspiracy to cheat themselves into public favor, by filching from their late colleagues their well-earned proportion of fame — ought we not, how little soever we may value the stolen goods, to drag the thieves to justice, and to prevent them

[1] Mr. Gallatin is intended.

[2] John Quincy Adams. In fact, when the time came to make a decision, Gallatin strongly favored Crawford.

from converting our property to the purchase of dangerous and unmerited influence?

When I recollect the supercilious arrogance of these men, I am not at all surprised at their exclusive pretensions. The one appeared continually to consider himself as a kind of itinerant member of the Cabinet, and to bear about with him a portion of the sovereign power. He frequently conducted as if he felt rather the right of giving instructions, than the obligation of obeying them; and his colleagues found it necessary, on more than one occasion, to remind him of their equality, and to restrain him within the bounds of his duty. The other, either from alphabetical priority, or accident, having been first named in the commission, fastidiously claimed rank on every occasion. He was as ambitious of the honors of the dinner table, as he was of those of the council board, and undeviatingly *placed himself* at the head of both. He not only assumed the right of being the organ of our oral communications, in which situation I more than once blushed for him and for ourselves; but he claimed, and forcibly kept, against a vote of the commission, the possession of its official archives.

Notwithstanding, however, the characteristic presumption which betrayed itself in their exclusive pretensions, the pretensions themselves are not the less unfounded and inadmissible. What would have become of the rights and honor of the country, if they had depended alone on the narrow and time-serving policy of a man who sought for peace as a financial expedient, and appeared still to tremble at the hollow groans of the Treasury, which, in its distress, he had abandoned. A man who, always inclining to the side of concession, was absolutely borne through the negotiation by the firmness of his colleagues; who sought to obtain the possible, but paltry difference between specie and current money, in the liquidation of advances which might have been made for the maintenance of prisoners, with more zeal than he had resisted the most extravagant demands asserted by the enemy; and who, after having explicitly avowed that the contested liberty of the fisheries was no equivalent for the free navigation of the Mississippi, not only insisted that the latter should be offered in consideration of the former, but actually himself made this offer to the British Commissioners, in a manner unexpected and unauthorized by at least a majority of his colleagues. Peace, at any rate, was his object; and taking counsel of his nerves, he appeared to be prepared to pay for it in anything excepting specie.

And what would have become of the peace itself, thus inordinately sought for by one of these men, had it been intrusted to the wild eccentricity and intemperate caprice of the other? This last had so precipitately made up his judgment on the existing circum-

stances, that he not only pronounced a peace to be impracticable, but, on leaving Stockholm, intimated the uncertainty of his proceeding further than Gothenburg, as he acknowledged neither the utility nor obligation of acquiescing in the location of the Congress at Ghent.[1] If the peevish declamation that he had prepared in answer to the very first note of the British Commissioners, had been sanctioned by his colleagues, it must have put an end to the last hope of accommodation. It had, indeed, rather the tone of an impassioned manifesto on the final rupture of a stormy and unsuccessful negotiation, than a diplomatic communication, made at the very threshold of a discussion for peace, with a view of attaining that object. Although the greater part of this performance was unhesitatingly expunged, and the spirit of the rest greatly chastened, yet the folly of a single sentence, that was indiscreetly spared by a kind of mistaken charity, was a source to us of infinite vexation and labor. This sentence itself was, indeed, corrected and qualified; and, instead of preferring a direct charge against the adverse party, of "the rapacity of ambition," was permitted to insinuate only "a desire of aggrandizement." This insinuation, however, provoked our adversaries to a retort which put us on the defensive, during almost the whole of the remainder of the negotiation. If the rhapsodies of this man had not abortively perished from the fever in which they were generated, they would have abruptly terminated the discussions, or at least have deprived them of that collected firmness and dignity which constitute their proudest merit. We might, indeed, by those rhapsodies, have dazzled the vulgar with a blaze of tropes and figures, worthy of a Professor of Belles Lettres, but we must have renounced all pretension to the character of sober and enlightened statesmen. Never, perhaps, was there a negotiation at which the merit of *correction* so much exceeded that of composing. What a tawdry and slovenly appearance should we have made before the public, had there been found none among us to have ripped off our French embroidery, and to have washed our dirty linen![2] It was not, however, in our solemn official communications with the British ministers, only, that we were annoyed with the obtrusive pedantry of the person now in question; but our deliberations among ourselves were

[1] "May 26th, [1814.] Stockholm. I spent two or three hours in conversation with him [Russell] upon the affairs and prospects of our mission, and in reading over the letters and instructions he communicated to me. They convinced me beyond every doubt that this mission will be as fruitless as the last, and led me strongly to doubt whether I ought to consent to go to Holland." Adams, *Memoirs*, II. 634. Later despatches altered his opinion, and he proceeded on his mission with even greater alacrity than was shown by Russell.

[2] See Adams, *Memoirs*, III. 21, 40.

constantly embarrassed, and sometimes suspended by them. Did he not, on one occasion, drive his colleagues from the Board, by superciliously and pertinaciously insisting that the former treaty of peace should be cited as of 1782, and not of 1783?[1] Have we not *frequently* known him most inconsistently to oppose, to-day, with ardor, the proposition of which he was yesterday the warm advocate, and perhaps the mover? to blow, within the four-and-twenty hours, with equal violence, from every point of the compass? and at one moment to *energise* on trifles, and, at the next, to treat as trifles, matters of the utmost importance?

Shall these men, who were thus respectively exposed, by their fears, to have concluded a treaty without honor, or, by their whimsical violence, to have defeated the conclusion of any treaty, be allowed to engross the credit which is mainly owing to the firmness and temper of their colleagues, and be permitted to abuse this credit to purposes disgraceful and disastrous to the country?

Mr. [Gallatin] is known to be opposed to the election of Mr. Monroe, or of any other able and independent man to the Presidency. He had designated Governor Tompkins[2] for that office, until he was aware that the project was impracticable. He has, therefore, it seems, now determined to make an experiment of Mr. Adams; and, at once to indulge his own vanity, and to give to the experiment some chance of success, he has very honestly consented to share with him the whole honor of the negotiation at Ghent. Already is Mr. Adams nominated as a candidate for the Presidency in the newspapers of the United States; and he has, according to my information from London, obviously elevated his ambition to that object. Now, as an American, as a republican, as a New England man, I solemnly enter my protest against his election. He is entirely unqualified for the station, and, like his father, he will be sure to ruin any party that shall attempt to support him. He has no talent to manage others, and Mr. [Gallatin] would very soon discover that he is totally unmanageable himself. Wherever there is a great and evident disparity in the qualifications of rival candidates, mere local prejudice ought to have no weight. If, however, such a prejudice is to be regarded, still it can afford no assistance to the pretensions of Massa-

[1] Adams always spoke of the treaty of 1783: but he once mentioned the "precedents of the treaty of peace in 1782," referring to the forms then followed. *Memoirs*, III. 82.

[2] Daniel D. Tompkins (1774–1825), who figured prominently in the politics of Madison's terms, but failed to receive the nomination for the Presidency in 1816, obtaining that of the Vice-Presidency. The middle D stands for no name, but was assumed to distinguish him from another Daniel Tompkins, a school or college mate. Bolton, *History of the County of Westchester*, New York, II. 233.

chusetts. She has already had her full proportion of Presidents and Vice-Presidents, and can assert no just claim at the ensuing election. To take the next President from that State, would be to sanction, and not to correct, the sectional arrogance which causes all this clamor. Such a proceeding would not have even the effect to conciliate that factious portion of the Union. It is a Federalist, and not a New England man, which the disaffected desire; and Mr. Adams would not have a single vote in his native State. The majority of that State detest his past apostacy, and the minority have doubts of his future faith. By his election nothing would be gained; but by it the peace and dignity of the country, and the very existence of the republican party, would become the sport of freak and violence; and not only a preposterous sacrifice be made to local jealousy, but an invidious step taken towards family aggrandizement.

I must now apologize for having detained you with so long a dissertation; but I could not feel entirely at my ease until I had deposited my sentiments on this subject, in some friendly bosom, and I believed it was not lawful for me to speak of the mysteries of the negotiation except to the initiated. I disclaim all interested views in what I have written. I am sufficiently rewarded for any share which I may have had in bringing our labors to an honorable issue, by the consciousness of having discharged my duty to the best of my abilities; and it imports me little where the credit is bestowed, provided it does not become an instrument of presumptuous ambition. I have given you my testimony, *in perpetuam memoriam rei*, that should I be destined soon to follow our worthy and sincerely lamented colleague, Mr. Bayard,[1] you may not be left a solitary witness to the truth.

I observe that you are sick of Europe and European politics. I can assure you that I am sincerely so; at least I am heartily tired of Sweden, and would most cheerfully exchange the public trust committed to me here, for the humble comforts of private life. I find it indispensable to my happiness, to have my children about me, and it is impossible to bring them to this dreary region, destitute of all means of education. Will you inquire confidentially of the President, if Mr. ——[2] has made to him the promised communication on this subject, and will you use your friendly offices to obtain permission for me to lay down my functions here? I should be truly wretched if I believed that my residence at Stockholm would be protracted beyond the ensuing summer. Do not mistake me — I ask only for the liberty of leaving Sweden.

[1] Bayard had died in Wilmington, Delaware, August 6, 1815, having returned from his European mission alarmingly ill.

[2] Probably Monroe, then Secretary of State.

Mr. Lawrence[1] has already applied to the Secretary of State, for permission to return to America, and is in daily expectation of receiving it. Although I could not oppose this proceeding, yet I am afraid it may embarrass the accomplishment of my own wishes. It may, perhaps, be inexpedient to terminate, at once, this legation, and after the departure of Mr. Lawrence, there can be found no person in this quarter of Europe, qualified to receive the trust from me. If, therefore, I shall be permitted to leave this country, of which I will not doubt, it may be well to appoint, immediately, another Secretary, who will be competent to remain as Chargé d'Affaires — or to appoint, at once, a Minister to succeed me. The former mode of procedure would be least exceptionable towards this court, unless my successor should be a Minister Plenipotentiary, which I candidly confess to you, I think altogether inexpedient. The expectation that the negotiation for peace would be entertained at Gothenburg, and that the good offices of this government might have had a beneficial influence on the result, was certainly, at the time, a justification of the appointment of a Minister Plenipotentiary. Such a reason, however, no longer exists; and neither the actual rank of the Swedish Minister in the United States, nor the ordinary relations between the two countries, require us to accredit here more than a Minister of the third order. I leave entirely to your good judgment and friendly disposition towards me, to suggest herein whatever you may deem best calculated to promote my object. I have not only written you already too long a letter to add any thing on European politics, but I am too much disgusted with the subject, to turn willingly towards it my attention.

I congratulate you sincerely on the glorious termination of the war with Algiers,[2] and I personally rejoice at the part which His Owyheen Excellency has had in the transaction, He is really an intelligent, worthy fellow, although a brother-in-law was preferred for a confidential mission to Vienna.[3]

I am not without fear that you were within the range of the ter-

[1] John L. Lawrence, of New York, who was commissioned Secretary of Legation at Stockholm, February 3, 1815. He left that place in January, 1816, having first resigned his office.

[2] Peace was negotiated with the Dey of Algiers by Stephen Decatur and William Shaler, June 30, 1815. The text of the treaty and the circumstances of its signing will be found in *American State Papers*, Foreign Relations, IV. 4–6. A second treaty was negotiated in 1816 by Shaler and Commodore Isaac Chauncey, but never received formal ratification. See Adams, *Memoirs*, V. 393.

[3] The reference is obscure, but probably William Shaler is intended, whose inquisitiveness at Ghent caused some inconvenience to Russell. He was later consul general to the Barbary Powers, and consul to the Havana. The brother-in-law was William Stephens Smith, then acting as Adams's secretary.

rible storm that so rudely treated the Jamaica fleet, on the 9th of August. I calculate much, however, on your *good luck*, and I hope soon to be relieved from all solicitude, by hearing of your safe arrival. If you will pardon the affrightful length of this letter, you may be assured of my being more reasonable in future. Remember me, I pray you, to Mr. Crawford, and believe me, faithfully and cordially, your friend,

(Signed) JONA: RUSSELL.

[Endorsed] I will be found at the place sold by Hester to young Skeets near Churches old Camp. Either of the Burne's living on the Road to Owenton will go with any one wanting to see me.

F. P. BLAIR.

RUSSELL TO JOHN QUINCY ADAMS.[1]

STOCKHOLM, 31st October, 1815.

MY DEAR SIR, — I had the pleasure of receiving a few days since your very welcome letter of the 10th instant.

I will frankly acknowledge that I had waited with much solicitude to hear from you, as I felt a very lively interest in the negotiations which, Mr *Todd*[2] informed me, had been instituted at London, by Mr. Clay and Mr. Gallatin, and in which you had afterwards participated, and as a previous communication from you appeared to me to be, in some measure, necessary, to sanction the part which I was disposed to take in the correspondence between us. I should not, however, have been deterred by your silence from writing to you had this barren region afforded any thing which could have been interesting to you, either personally or officially.

I was a little alarmed at the first notice I had of the appointment of British commissioners to treat of commerce with a part of my late colleagues, lest, in consequence thereof, my return to this country might have been considered, by those to whom I am responsible for my official conduct, as premature and improper. Your letter, however, and one from Mr. Clay, *commenced on* the 10th of May, and *closed on* the 1st of July, have contributed very much to relieve me from my anxiety on this point.

I believed, when I left Paris, that no disposition existed, on the part of the British Government, to negotiate with us a treaty of commerce, and the evident repugnance with which they have consented to such a negotiation, and the very brief and partial arrangement to which they have subscribed, go far to establish the correctness of my opinion and to justify the course which I have pursued.

[1] From the Adams MSS.

[2] Payne Todd, son of Mrs. Madison by her first husband.

Indeed they appear to have done the least it was possible for them to do without a total disregard of *bienséance;* and they have done nothing which they could not, and probably would not, have done without any further stipulation on our part.

The reciprocal abolition of the discriminating duties was, as you justly observe, placed within their power by the act of Congress, and our commerce to their East-Indies depended entirely on their will and was strongly recommended by their interest.

We have not granted, and ought never to grant, for the latter any equivalent other than what is involved in the trade itself. We certainly can do as well without the British East-Indies as the British East-Indies can do without us. They are, indeed, more in want of our specie than we are of their cotton cloths. It would have been important to us, perhaps, to have secured the right of exporting saltpetre from that country, but the indirect voyage, in the present state of the world, is an advantage merely nominal and probably will continue to be so for the next four years.

I was well aware that the time was not proper for the adjustment of the political questions, and I do not believe that any length of discussion would have produced a satisfactory result.

With regard to intercourse with the British colonies in the continent of North-America I was a little disappointed that no arrangement had been made, as Mr. Gallatin appeared to consider the regulation of that intercourse as the great reason for pressing an immediate commercial treaty. The terms, however, proposed by Great Britain were certainly inadmissible.

Those colonies are not only, to a considerable extent, fed by the produce of the United States, but rely, almost exclusively, on that produce for their exports, in provisions, to the West Indies, and in a great degree for their exports in lumber and ashes. By improving our internal means of transportation we shall be able to find in our own ports a sufficient market for all our surplus produce raised on our north-western frontier, especially as the entire suspension of the intercourse in question would compel the British Islands to admit our supplies direct and on liberal terms. We should, too, in such a state of things be able more effectually to prevent smugglers and Indian emissaries, who would be sure to abuse the facilities afforded by any lawful commerce, for the accomplishment of their projects. I am, therefore, clearly of opinion, that we had better be entirely without such an intercourse than to purchase the temporary accommodation, which it would afford to our borderers, by giving premature strength and activity to our neighbours, enabling them to defraud our revenue, endanger our tranquillity, and to become the exclusive carriers of that portion of our produce, both on the lakes and the

Atlantic. If they will not permit us to transport this produce, in our own vessels, navigated by our own sailors, to Kingston and Montreal, we ought, at least, to take care that their means of naval annoyance should not accumulate on Ontario and Champlain by the exclusive carrying trade on those waters.

Upon the whole, therefore, I should be inclined to consider the commercial treaty to be, at worst, but supererogatory, and harmless, both as to what it contains, and to what it omits, if the points enumerated shall not constructively prejudice the points excluded, and if a compact of no practical utility did not impose unnecessary obligations on national faith and expose the parties to artificial causes of collision by their infraction. The liberty, for instance, of touching at St. Helena in an India voyage, was in itself of very little importance, and, if fairly withheld, might not have occasioned even a murmur, but that liberty becomes a right by the solemn stipulations of a treaty and our honour is concerned in its vindication.

It would be difficult, even in the annals of British diplomacy to find an instance of bad faith, committed in so supercilious a manner for so contemptible an object. It was not enough to have disregarded every generous sentiment and to have trampled on all the laws of honour and of hospitality with regard to the ruined Napoleon, but the British Cabinet must, to accomplish their pitiful projects of cowardice and malice, unceremoniously, within a *little month*, violate their solemn engagements towards us and thereby insultingly propose to make us indirectly assistant jailers to their prostrate enemy and to participate with them in the infamy of bruizing a fallen man. But in this age, when legitimacy is the order of the day, imbecility, bigotry and despotism appear to be the lawful associates of cruelty, rapacity and perfidy, and it would be, perhaps, unavailing to complain.

The least, however, which the British government could have done was to negotiate with us for an equivalent, for they know how to estimate equivalents, and to have offered the Cape of Good Hope, if not already conceded, in lieu of St. Helena.

Although an outrage, such as this now offered to us, may, unredressed, not render war *expedient*, yet it necessarily impairs those feelings of confidence and friendship so indispensable to a state of honest peace.

I congratulate you on our triumphs in the Mediterranean. Our navy certainly deserves well of the Republic. I am almost afraid, however, of its glory, least it should lead to imprudence and excite on this side of the Atlantic more jealousy than respect. The world is in a very feverish crisis, and discretion, if not the better part of valour, is at least a virtue not to be disregarded.

I am not sure that the projected crusade by the European powers

against the Barbary States, if carried into successful operation, will result to the advantage of the weaker commercial powers. England will probably take the lead and, of course, appropriate to herself the spoil. It would perhaps be better for us that their infidel Deyships and Beyships, whom we can occasionally beat and intimidate, should continue the sovereigns of the territory of ancient Carthage, than that they should be there succeeded by a nation of Christian pirates, equally rapacious and infinitely more powerful, who plunder not for the purpose of being bribed, but bribe for the purpose of plundering.

We think here that, in the transactions at Paris, the Emperor Alexander has been as honourable as his allies would suffer him to be. His conduct has not only been more reputable than theirs but more compatible with sound policy. He has conciliated the esteem of the people and obtained a decided ascendant in the councils of the nation, while they have disgusted both and excited hostile passions that ages can scarcely allay. They have oppressed a country they professed to deliver and destroyed a throne they had promised to support. They have claimed for fraud the rights of conquest, and have exercised these rights just far enough to establish their own infamy, without essentially aggrandizing themselves, and to irritate rather than to destroy their enemy. The great Captain Wellesley has proved himself to be a very little man, and to be equally qualified to fight the battles and to do the dirty jobs of whoever may think fit to employ him.

Hughes would have considered the conduct of the Allies as very *picturesque* and laughed at their determination not to leave the slightest *colour* for the reproach of their past disgraces, but, like you, I regard their proceedings as most pitiful.

I am weary of contemplating the past and hardly dare to cherish hopes of the future. Can the Allies, however, long act in concert? May they not, after having jointly plundered the rest of the world, become severally the enemies of each other?

The Prince of Orange has carried his affections far north, and his match may, sooner or late, tend to free the Netherlands from their dependence on England. The maritime world cannot fail to derive advantage from such an event. The English ministers appear in everything to have been overreached by those of Russia.

The Turks are certainly in motion, and British India in commotion. I hope before many years we may be able to negotiate for commerce, to the last, with the *legitimate* monarchs of the country.

Here we are not altogether at our ease. The descendants of Vasa occasion much inquietude. There is, however, no ostensible project for their restoration.

The last Diet here provided funds for extinguishing their private claims, by increasing the establishments of the king, crown-prince and Duke of Sudermania, whose duty it is made to liquidate those claims and to prevent the names of Gustavus the fourth and of his family from being mentioned hereafter to the states.

The present order of things has sustained a great loss in the death of Gen'l Adlercrantz. He was the leader of the last revolution. The crown-prince has no partizans, on whom he can rely, excepting those who would be exposed to punishment by a restoration. His popularity is evidently on the wane. Many are disgusted by his considering the million paid for Guadeloupe as his private property, although he *generously*, gave one half to the nation, and only retained an annuity of K 200,000 rik for the other half as an *indemnity for the sacrifices he made in accepting the kingdom of Sweden*. He is now in Norway attending the Diet in that country; it is not believed, however, that he will remain there until the close of that Diet, which, it is said, will not take place until February.

The Swedish Government has sold *all its rights* to Pomerania, which by the way were ceded by the treaty of Kiel to Denmark, to Prussia for 3½ millions of Prussian dollars. Prussia has also purchased a quit-claim from Denmark.

The last Swedish Diet definitively decreed that two thirds of the foreign debts should be liquidated *with a sponge*, and the remaining one third to be paid without interest. So much for their good faith. These debts are chiefly due to Holland and Genoa. A special Dutch agent is here for the recovery of the former, which was contracted by Gustavus the third for about 10 millions of florins. This agent is very much disposed to reject the *third*, that is offered, and to make a national affair of it. He is not without hope that the contemplated marriage of the Prince of Orange may engage in favour of his claim the influence of Russia, and the influence of Russia is *irresistable*.

A special Swedish minister has been sent to Warsaw to pay court to the Emperor at his expected coronation as King of Poland.

I was highly diverted with your account of the tardy movements of that good-natured gentleman, Mr. Todd. That he should *twice* lose his passage by being too late, was perfectly in character. I recollect, when we were about dispatching the *Chauncey*, that he sat up until 5 *o'clock* in the morning to close his dispatches to his mother [Mrs. Madison]. He then thought that he had time enough to take a short nap, but unfortunately when he awoke the messenger *was gone*. He ordered post-horses and proceeded to Ostend. He learnt on arriving that the *Chauncey* was still there, and feeling fatigued, he believed he could eke out his morning nap

before he delivered his dispatches. He once more awoke to disappointment. The *Chauncey* was at sea, and he returned quietly, with his dispatches, to Ghent.

It will be really charitable in you to favour me frequently with your communications. I am very much exposed to the *blues* in this dreary country, having *little* to do and *nothing* to divert me. To enable your letters to reach me without suspicion, have the goodness to put them under cover to Mess. Kanzon & Biel of this place.

I pray you to present my respects to Mrs. Adams. I felicitate you both on the safe arrival of your sons. They must contribute to make your residence in England more cheerful. I really feel the necessity of having my children about me, and as it is impossible to bring them to such a country as this, I hope I may soon be permitted to return to them. With great respect and attachment, my dear Sir, your faithful friend and servant,

JONA: RUSSELL.

Mr. FORD submitted some letters written in 1854, on the arrest and trial of Anthony Burns, an alleged fugitive slave. The legal aspects of the case are given in the diary of Richard Henry Dana, which are printed in Mr. Adams's biography of Mr. Dana; but the letters now printed express the feelings of those who were active in the public meetings and endeavors to prevent a rendition to slavery of Burns, and reflect the attitude of those who felt that any form of resistance to such an act was justifiable. That one of our colleagues took a dangerously prominent part adds interest to the affair, and may serve to call out other material illustrating more fully the division of opinion among the opponents of slavery upon the proper methods of making war upon that institution. The originals of these letters are in the Boston Public Library.

MRS. WENDELL PHILLIPS TO ANNE AND DEBORAH WESTON.

THURSDAY. [25 May 1854.]

DEAR ANNE AND DEBORAH, — You will see by the papers that a fugitive is arrested here. Do for mercy sake both of you come into town and give your advice and counsel. Do stir up Weymouth, for if this man is allowed to go back *there is no* anti-slavery in Massachusetts. We may as well disband at once if our meetings and papers are all talk and we never are to do any *but* TALK. Yrs in great distress

ANN G. PHILLIPS.[1]

[1] From the Chapman MSS.

SAMUEL MAY, JR., TO THOMAS WENTWORTH HIGGINSON.

21 CORNHILL, BOSTON,
Thursday May 25th [1854.]

DEAR MR. HIGGINSON, — Last night a man was arrested here as a fugitive Slave. Master is here from Virginia. Case bro't before Commissioner Loring[1] this morng. at 9 o'clock, and by him adjourned to *Saturday* at 9 o'clock.

We have called a public meeting at Faneuil Hall for tomorrow (Friday) evening, at which we want to see WORCESTER *well represented*. Give all the notice you can. The friends here are wide awake and unanimous. Vigilance Committee meet this afternoon. The country must back the city, and, if necessary, lead it. We shall summon all the country friends.

Bowditch[2] says you'll come if your wife's health allows. Come strong.

It is thought the City Government will not act, — any way.

Tis said, the man in private expressed willingness to go back, but not in public.[3] In haste Yours,

S. MAY, JR.

T. Parker and W. Phillips were at the examination. R. H. Dana Jr, and C[harles] M[ayo] Ellis, Counsel.[4]

THOMAS WENTWORTH HIGGINSON TO HIS WIFE.

FRIDAY AFT'N [26 May, 1854.]

I don't think anything will be done tonight, but tomorrow, if at all. The prospects seem rather brighter than before, and there are *better leaders than I*.

I stay with W. F[rancis] C[hanning] tonight and will write or telegraph tomorrow.

10 P. M. There has been an attempt at rescue and failed.

I am not hurt, except a scratch on the face which will probably prevent me from doing anything more about it, lest I be recognized. But I shall not come home till Monday morn.[5]

[1] Edward Greely Loring, a commissioner of the United States Court, and also the judge of probate for the county of Suffolk.

[2] William Ingersoll Bowditch.

[3] This the prisoner strongly denied. *Transcript*, May 27, 1854.

[4] From the manuscripts on Anthony Burns, presented by Col. Thomas Wentworth Higginson. Dana's account of his connection with the case is given in Adams, *Richard Henry Dana*, I. 265. His speech on the occasion is printed in Dana, *Speeches in Stirring Times*, 210. The claimant was represented by counsel — Seth James Thomas and Edward G. Parker. See Higginson, *Cheerful Yesterdays*, 147–162, for a full account of the part he played in the attempt at rescue.

[5] From the Higginson MSS.

THOMAS WENTWORTH HIGGINSON TO REV. SAMUEL MAY, JR.

WORCESTER, Sunday, [28 May, 1854.]

DEAR SIR,— The excitement in this city is tremendous; entirely beyond any imagination; tenfold what it was on Friday morning. The wildest things are proposed, and by persons whom I have considered very "hunkerish." For instance they talk of arming 500 men to go to Boston. But it would be *perfectly* practicable to arm and organize 100 if desirable. Shall we do it, and with what immediate object?

As it is, many will go to Boston tomorrow. There is an intense indignation at the failure of the Friday enterprise (though *I* call it a great success, and so do they, so far as it goes) and I think Worcester men, if they are at hand, may be relied on.

If they send the poor man through *Providence*, we shall rescue him *to a certainty*. Any number could be sent from this place by an extra train.

But I have no idea that he will ever be taken from Boston, for I think that either the Kidnappers will be killed first; or else that Boston men will buy him to save the peace of the city. This, though not so good as a rescue, would come pretty near it, after the event of Friday night.

I wish to suggest two things. Would it not be well, (supposing a like excitement to exist in many other towns and to show itself in Boston on Monday) for a committee of such gentlemen as Deacon Gilbert etc. to wait upon the Mayor,[1] represent to him the impossibility of Burns's delivery without a riot and bloodshed, and also the *great danger to the lives of Suttle and Brent*[2] *if they persist in the claim*, and urge him to advise the Kidnappers to relinquish their claim and leave town. This would be a virtual victory, if successful, and would at any rate increase the panic, and look well in the papers.

Finally, should not something be done by the Committee in the way of assistance to the family of the man shot, supposing it to be so arranged as to show no contrition on our part, for a thing in which we had no responsibility, but simply to show that we have no war with women and children.[3]

I hear rumors of my arrest, but hardly expect it. If true, I hope

[1] Jerome Van Crowninshield Smith (1800–1879).

[2] Charles T. Suttle and William Brent, both of Virginia. The former claimed to be the owner of Burns.

[3] The man was James Batchelder, who had participated in former slave-catching raids in Boston, and was at this time temporarily in the employ of the United States Marshal.

no U. S. Officer will be sent up, for I cannot answer for his life in the streets of Worcester.

If you have a meeting in doors to-day, ask some Worcester man to describe the meeting on Saturday night. Better not read this to any meeting, or not all of it. Send for me if you want me again. I am *thankful* for what has been done — it is the greatest step in Anti-Slavery which Massachusetts has ever taken. And I am ready to do my share over again. Cordially yours,

T. W. HIGGINSON.[1]

SAMUEL MAY, JR., TO THOMAS WENTWORTH HIGGINSON.

BOSTON, 3 o'clock. Monday [29 May 1854.]

I was in the Court Room till ½ past 4, then came out, and rec'd yours *by express*, relating to *Kreese*, and wrote you by mail, asking further particulars, though *I suppose* I know the man.

After mailing the letter to you, I took yours from the Post Office; I have endeavoured to find Phillips and Parker, to name its suggestions. To-day Suttle refuses point-blank to sell, saying he did n't come here to sell niggers. Ben: F. Hallet is answerable for this; *but for him* the sale would have been concluded Saturday night.[2]

The man if given up, as he doubtless will be, will not go thro' *Providence*, or *Worcester*. HE WILL GO FROM THE END OF INDIA WHARF, or a like place. ALL THE MEN THERE ARE, should be in BOSTON. The city is crowded; Military are out. The Mayor (*I am informed*) sticks to it, that the military and police shall not be used to aid the carrying off, only to keep peace; but what does that mean?

A friend has just been here, — *speaking on perfectly reliable authority*, — that a warrant for your arrest is in preparation, but not yet issued; — the information is from one who said "if the warrant were out, I could n't mention it." Therefore you had

[1] From the Garrison MSS.

[2] The price asked was twelve hundred dollars, and that sum was raised. On Hallett's conduct see *Transcript*, June 5, 1854. Some years before this event, when an attempt was made to punish Charles G. Davis for an alleged participation in the rescue of a fugitive slave called Shadrach, Dana paid a high compliment to Hallett, describing him as one who has been known through his whole life as not only the advocate of the largest liberty, but "the asserter and maintainer of the largest liberty of speech and action, at the bar, and in the forum, carrying these ideas to an extent to which, I confess, with my comparative conservatism, I have not always seen my way clear to follow." *Speeches in Stirring Times*, 180.

better be on the lookout. I should send this by telegraph, but I understand W. F. C[hanning] has done so. Friday night had A *success,* but the Court Square movement, *right in the face and eyes* of the *F[aneuil] Hall advice,* was ill-advised and so failed, when, with perfect harmony, it might have succeeded. Truly yours

S. M. JR.

The Court adjourned at 2-½ or later, till 3-½. Then the case will be put thro'. No time to lose.[1]

FROM ANNE WARREN WESTON.

[26] ESSEX STREET,[2] May 30, 1854.

DEAR FOLKS, — Ere this reaches you, you will probably have heard of the great fire at Wolf's Crag which must account for all deficiencies and all omissions, *the fugitive slave Case.* The papers will give you all the outside particulars. I shall do best to detail my personal experience merely. Last Thursday, the 26, I came to town for a few hours on some money business. I went to Ann Phillips's. She said as I came into the room "you have heard the news." I said no. She began to cry and said "another slave case" and proceeded to detail the facts. She had just written a note summoning D[eborah] and me in to town. I staid with her till 4 when I had to leave but we felt very hopeless of the matter. The case seemed very plain, and the poor man himself was terribly fearful. Had not R. Dana and Wendell got on to the ground just as they did, the first accidentally, he would have been carried off with no stir. I went out to Weymouth and my news spread gloom and desolation. The next morning, tho' I was terribly busy I started for town. I found poor Ann pale and suffering. A rescue had been agreed on. The Vigilance Committee were in session all the time, Wendell and Parker the chief men. When should the rescue be. It was finally settled that the next morning, when the man was delivered up, and there seemed no evidence in his favour, a great crowd should be assembled in Court Square and the rush should be made. The reasons against a night attack on the Court House were, first the difficulty of forcing a strong stone building full of armed men, and 2d, the fear that the fugitive might at the first attack be hurried into a secret room or concealed closet where he would not be found during the short space of time

[1] From the Higginson MSS.

[2] Wendell Phillips's house.

that the abolitionists should have possession. A meeting in Faneuil Hall had been decided on and the Hall obtained without the usual formalities as you will see per papers. All day I sat at Ann Phillips's and sewed, dear Lizzy, on your pillow cases. You should have them sprinkled with holy water as soon as they arrive, for I made them or part of them *during the sun's eclipse* and "while every hour some tidings brought of conflict or dismay." Phebe Garnault was smoking glass and watching the sun, Ann wringing her hands and getting up and lying down. Wendell at the Vigilance Committee Meeting at the Tremont Temple, coming in occasionally for a few minutes. Wentworth Higginson and a number of men had come from Worcester. I should say that in the morning when I first arrived in town, I had gone in the omnibus to the office. It was locked, all being gone to the Vigilance Com. Meeting, but as the carrier came to take away papers, I went in and a dozen men came and went all the time I was there. My trial was very great, for tho' my non-resistance was terribly in abeyance I did not dare to stir the people up as I would gladly do knowing as I did that circumstances foreboded a desperate time. J[oshua] B. Smith [1] came. He said at once "If any one will guarantee my wife and child $10,000 I will be the man to settle the marshal if I find myself in Heaven next minute." I longed to say, "don't stop for that; I will pledge you the 10,000," but I had not quite the nerve or perhaps the conscience. We were silent but I wish you had seen how he looked. I would not go anear Hervey.[2] I had sent him a note the day before to go to the Vigilance Com. Meetings, but now I did not wish to see him. I determined I would not influence him by a look any way. At night Phebe Garnault and I went with Wendell and Parker to Fanueil Hall. It had been settled I should stay at Ann's *all night*, so you know what the stress of weather was. When we reached Faneuil Hall it was nearly full. Soon it was crammed. About 300 women, but in general a man's meeting. I never saw a more earnest feeling. Except when the Lawrences, Appletons and men of that sort come, there can never be any meeting to give better promise.[3] George Russell [4] presided with great dignity. By the way when I first came in in the morning Ann T[erry] shewed me a note Wendell had had from Mrs. Russel[l] to this effect: "Dear Sir, Is there no way of avoiding this terrible disgrace? I send you $100. and beg you if more is

[1] The colored caterer of Boston, whose eating-house was at 16 Billerica Street.

[2] Hervey Weston, her brother.

[3] See Adams, *Richard Henry Dana*, 1. 269, for change of opinion among the Whigs.

[4] George R. Russell, of West Roxbury.

wanted to call on me for all I have or can command." [Francis W.] Bird of Walpole, [John L.] Swift a young Free Soiler, Wendell and Parker spoke, the two first, spiritedly and well, the two others Wendell especially with great power and eloquence, *the whole meeting responding.* It was plainly settled that they were all to be at the C[ourt] H[ouse] the next day and perform the rescue, and all intelligently cheered and responded to the plan. No dog moved his tongue. But, as Wendell kept on the enthusiasm increased, and the audience shouted "To night, to night." Nobody but Wendell and Parker especially the first could have restrained, and as it proved it was a pity that they did. They then wished to go up to the Revere House and mob Suttle, but that Wendell prevented. At last a man struggled into the foot of the hall and cried out. "A band of negroes are breaking the door of the Court House."[1] At this the meeting broke up at once, about 200 hurried to Court Square. The rest went home quietly thinking that it might not be true. Now here was the pity. This small body was led by Higginson and Martin Stowell,[2] the man who headed the Syracuse rescue. Tho' they had agreed in the afternoon to wait till the next day, yet seeing the great and enthusiastic meeting, they set off without communicating with the men on the platform. Indeed Higginson had not been in the house all the evening but on the outside. I fancy the negroes did set off on their own hook and Higginson followed them. Had the whole meeting done so the man would have been rescued then.[3]

Wednesday May 31. I wrote the first sheet several days ago, but I will take up where I left off. As H[enry] C. W[right] says, I am writing in the parlour at 26 Essex St. and it is 9 in the evening. The result of the attack on the C[ourt] H[ouse] was that the door was broken in with clubs and axes, shots were fired all round, one man [James Batchelder] was killed, a scamp who had volunteered in the service. His fall alarmed both parties and before they could rally at the door, the police force was mustered in more strength and some military were brought. It is a melancholy fact that had the whole meeting been there, Burns would have been *rescued* albeit Hervey thinks, and *some circumstances enable him to judge with tolerable* accuracy, that several people would have been killed on

[1] We at once found our gallery orator in the late John L. Swift, a young man full of zeal, with a stentorian voice. . . . He pledged himself to make the proposed announcement. Higginson, *Cheerful Yesterdays*, 151.

[2] Also described as from Worcester.

[3] "The attack was planned deliberately, cautiously, and (as the *almost* success proved) *most judiciously.*" *Higginson to Garrison*, June 28, 1854. The attack led to calling out the military. The *Transcript* reported that "prominent among the crowd were seen the leading speakers at the meeting at Faneuil Hall."

both sides. Meantime, unconscious of all this Wendell and Phebe, E[dmund] Q[uincy] and I went to Essex Street. At the door the men left us and went down to Court Square. We all sat up to 11 in much anxiety, Ann T[erry] bemoaning when she heard of the grit of the meeting that the attack had not been made. When Wendell came home, he reported that all seemed pretty quiet, and it was not till the next morning that it was known *just* what had happened. I slept in one of Ann's upper chambers. I had a very nervous and disturbed night, but stood it a million times better than Lucia who will remember many of my tantrums would believe. Saturday was a very stirring day. Wendell went off early, indeed had not time to eat his breakfast. He was behaving more beautifully and heroically than tongue can tell, perfectly calm and firm and bright, working with his whole heart and soul and mind and strength, not very hopeful but doing none the less. Mary Robbins called. She was you may be sure agitated enough, but she walked down to Court Square with me, the crowd was not as large as I had hoped. We came home much discouraged. Mrs. Garrison and Jennie Greene were with Ann. We all sat down and talked about non-resistance. Mary R. maintained hers pretty well; mine was terribly poor. Ann Terry had never had any. Mrs. Garrison's was of rather a traditional kind, but she kept saying in a rather aggravating manner how thankful she was that Garrison was a non-resistant. Wendell was hardly able to come home at all. He swallowed a most hurried dinner. There appeared to be *no evidence* in favour, nothing to do with, but Ellis and Dana were behaving very gallantly. I walked down to Court Square again in the after noon. The crowd much increased. Wendell busy in arranging about the form of prayer to be sent to the churches. I came home at 7, much worn out. I sat down and worked on the pillow cases thro' all the evening. I forgot to say that Warren [Weston] [1] who had arrived at Weymouth by the Fall River Train from N. Y. being filled with the spirit of "whare's the fight," came in town at 10. He called at Wendell's, and Hervey and he went out together at half past 2. Hervey has remained there ever since, as there was no need to say nothing about firkins. Warren is *pretty well*, not more. I think this time of the year is decidedly worse for him than any other. He has a good deal of pain, but has a good appetite and sleeps well. *Sunday* 28th. I remained incog and sewed all day, regarding the pillow cases as works of necessity and mercy. Susan Cowing dined with us. I sent notes to this effect to the 3 churches right in our neighbourhood (this takes in the Baptist at *Ink ville*). "Anthony Burns now imprisoned in Boston C[ourt]

[1] Of Weymouth. He died November 2, 1855.

H[ouse] on the charge of being a fugitive slave asks the prayers of this congregation, that now in this his hour of extreme peril and suffering, God would graciously interfere for his deliverance." I accompanied this with a note signed by myself to authenticate the matter. At the Baptists it was read and the man prayed very warmly. Mr. Davenport the Universalist who is a very ordinary man read it and made a rather ordinary prayer. Mr. Gooch of Bridgewater who was praying, I mean, preaching for Mr. Perkins, did not get the note till in the last singing. He had alluded to the case in the long prayer, but when the singing was done, he rose and said he had received a note that should have reached him earlier, but it was not too late now, so he read it and then made a special prayer. It was so good that the Orthodox folks say to us, *it would have suited you.* This was all I could do, but the day was passed in terrible suspense, particularly when a rumour reached us that the man had been taken from the C[ourt] H[ouse] and rescued on his way to Charlestown to the Navy Yard. Young Stiles held a tipping seance, but the oracles were rather misty. The next morning, *Monday* 29, at 10, Warren and I started for town. There was much more quietness round the C[ourt] H[ouse]. The idea was promulgating that the merchants would buy him, and that quieted the people. You will see in the papers the beginning and ending of the whole negociation. Commissioner Loring was behaving very amiably as far as giving time and all that went. Wendell had free entree as the slave's agent, but no man is admitted except as the armed police of the U. S. engaged for the occasion allow, or by Marshal Freeman.[1] This man holds Devens's place and is a much more resolute man. Sam Sewall,[2] Apthorp,[3] and such men are not allowed to enter, tho' members of the bar. The very judges get access to the Courts with the greatest difficulty. Troops have been sent for to Newport, Portsmouth etc. Went out Monday night, and sewed all the evening on the pillow cases.

Tuesday 30. I came in town again at half past 10. A letter from Adeline Bailey before I went told me of her engagement to a Baptist Professor at Brown University, but I was in too great haste to read the letter. I found the city in a very different state; much more full of excitement. Everybody standing at their shop doors up and down Washington Street, groups of people talking on the side walk. I went and stood a little while with Mrs. Theodore Parker and Miss Stevenson and R. Apthorp's sister in law, a Miss Hunt. They have stood on the side walk opposite the Court House *the whole time of*

[1] Watson Freeman.
[2] Samuel Edmund Sewall (1799–1888).
[3] Robert E. Apthorp.

the trial going regularly forenoon and after-noon. The police keep a path through the crowd, and so they have to stand a part of the time on the curb stone. I have gone every day two or three times a day, and stood with them a little, but as to my standing there all the time as they do I might as well try to rescue Burns single handed. The men in the shops are very ugly, but I coolly ask permission to sit there a little and some of them snap out "as long as you please ma'am." During Tuesday all the elements of disorder seemed to increase, many country people. You could express yourself in no better way than by saying that all hell seemed broke loose. This was not discouraging. The prayers put up Sunday seem to have been answered; for whereas there did not appear to be a gleam of evidence for the man, help most unexpectedly turned up. The claimant and his witness [Brent] swore that Burns ran away the 24th of March, 5 or 6 witnesses came forward to prove that they had seen him in Boston a month previous. These rumors which were favourable to the man, made people easier as it afforded a most capital opportunity for Loring to pronounce him free. Wendell could not come home to take any dinner. He just ran up for a moment, but that was all. I ran in and out at Parker's. Saw Mrs. Davis (Hannah Thomas). She scouted non-resistance and said she had fallen back on her *brute* instincts. I must tell you what a time they had at Wendell's Saturday night. Just as I was putting on my bonnet to go home, Wendell came in and told Ann she was going to be mobbed that night by the truckmen. I offered to stay in town at once, but Wendell and Ann both declined, and W. said he did n't believe a word of it. But at night, there was great rumours and panic among some friends. There *was* great passing and repassing, and groups of men came and looked at the door, and people swore before the house. Wendell was out and Ann was at 9 lying on the bed when word was sent up that Theodore Parker must see her *immediately*. Only a dim light was burning in Ann's room and Phebe ran down with that to light him up. It was extinguished in the hurry, and so Theodore entered her room in almost entire darkness. She on the bed. Theodore expressed some surprise at not finding her able to sit up, and then told her she must go at once to his house as hers might be sacked in 10 minutes. Wendell was away. Ann was somewhat frightened, but in a few minutes rallied and refused to leave. She would wait Wendell's return. In a little time more Miss [Hannah E.] Stevenson was in the room. "I had not seen her for 18 years," said Ann, "and was rather startled when I heard her voice saying 'Ann, dear, you *must go.*'" But Wendell returned and of *course* refused all such stuff. Polly was almost scared to death. She was sent to Mrs. Gwynn's. Ann then insisted on Phebe's going there too. Phebe cried and resisted, and

did n't want to go and said she would fight at Uncle's side, but an heroic young man living in Essex St. led her off, Wendell's father's picture and a few other valuables under his arm. In the mean time the friends came to the scene of action. Sam May, Sam J. May, F. Jackson, Kemp, and several men they did not know. These laid about in the parlour, attic, etc, and Francis Jackson *sat by Ann's bed* who had put on a clean gown and cap and lain down for the mob. About 1 or 2 Ann got up and put Francis to bed in Phebe's chamber, covering him up with shawls etc and Francis declaring he really felt just as if he was on board a steam boat. In the early part of the alarm, Miss Stevenson had run, on foot and alone, and rung the door bells of Dr. [George W.] Blagden, Dr. Reynolds,[1] and Tom Phillips, and told them the news. I don't know as the Blagdens did any thing. Dr. Reynolds came up, but saw only Nanny the chamber maid, and finding friends there went off, intimating he had no desire to see the Abs. [abolitionists]. Tom Phillips ran to the Mayor. The Mayor told him he knew the house was in danger and the Police were watching it, and a sufficient force to protect it would go at a minute's warning. But there was no occasion. It was probably the ravings of Peter Dunbar[2] and his men, as the man killed was one of his truckmen, that got up the breeze. Well Tuesday night Deborah packed the box and I will say more of that at another place. Wednesday morning we came in town, Warren and Deborah and I. The case was now looking very favourable as to evidence. 5 people without conflicting had sworn to their knowledge of Burns in the early part of March and as I have said the Virginians swore plumply he escaped on the 24th. When they first appeared, Wendell heard Hallett, who had been the head and front of the business, say to some one in a whisper, "Here comes a witness that Parker has got to perjure himself," but as it went on, they looked black enough. Wendell said he sweat like rain himself while they were examining the witnesses, for [William] Jones the first one, a black man, has his little imperfections and peculiarities. But he did so well, and was withal so black that when Miss Stevenson heard the account, she said she considered him in his own person "the great cloud of witnesses" spoken of. Then came the hope that Loring would declare him free accompanied by the fear and belief that Hallett would arrest him again and take him before his own son,[3] who is a commissioner, and hurry him off at once. A hand bill to this effect was got out and

[1] Either Edward or John P. Reynolds, both physicians, and living in adjoining houses on Winter Street.

[2] A truckman, who had employed Batchelder.

[3] Henry L. Hallett.

people exhorted to stand by. More troops summoned from here and there. The rumor is that the Lawrences offered $4000. for the man, which was refused, Virginia telegraphing to Suttle to sell him if he dare. Telegraphs flying like hail between here and Washington — the whole country pausing to look on. There was never such a time in Boston before. All around Court Square all business suspended, and crowds of men and women, even when all seemed quiet, standing there all day. Strangers stopped and asked people in the street how matters were going, bulletins of what was going on in the C[ourt H[ouse] passed round every few minutes, and the Newsboys cried the extras that every few hours the papers got out, *all the time.* Wednesday the N. E. [Anti-Slavery] Convention was in session, and so was the Free Soil Convention. I did not care to go to the first, for I thought they had better adjourn it first in order to be at Court Square and second because it is a pity to have unadvised absurd talk. For the Abolitionists to be discussing non-resistance and kindred topics at such a time was not profitable. However I believe they drifted over any special difficulties, and Wednesday evening Wendell managed to go in for a few minutes and made what I am told was a very lively speech. He reported nothing of it to me, but that when he mentioned Hallett's name, he said he wished he had a glass of water *to rinse his mouth,* and one was handed him by Stephen Foster.[1] Deborah and I went into the F. S. Convention a while in the morning, and heard John P. Hale make as good a speech as he could without any positive Disunion. The Music Hall was full, so you may know, or Lucia may, how large the audience was. It holds more than Faneuil Hall, or as many. At night Warren went via Fall River, Deborah going down with him to S. B.[2] and there meeting Sarah and the children. I staid at Ann's all night and wrote part of this. Thursday the 1st of June. The slave court had adjourned Wednesday night to Friday morning, to give Mr. Loring time to make up his mind and write out his report. The Post came out much frightened as one would judge but I will send you the paper and you shall see. The N. E. convention held its session at the Melodeon on the day before. Completely full and many people who dont usually [have] the understanding, that Boston was very indignant and excited. The Anniversaries in full blast, *Kirk* or somebody calling a meeting of ministers to see what their duty was. I believe the Beechers[3] and Professor Stowe[4] were at it, but they and Hatty[5] have

[1] Stephen Symonds Foster (1809–1881).
[2] South Braintree probably.
[3] Lyman and Edward.
[4] Calvin Ellis Stowe (1802–1886).
[5] Harriet Beecher Stowe (1812–1896).

abode where Napthali did pretty much. Probably Hatty is finishing her "Sunny Memories." It would have looked better if she had shewn her face to the people in Boston. In the evening, *last* night, Wendell made a very fine speech. *He has done it for himself.* He is having greatness thrust upon him, and the time will come for aught I know for him to be Governor of Massachusetts. He deserves it for never a man could have done better. And now I am writing at this present Friday morning 8 o'clock in Wendell's parlour not knowing what is to be. I shall go down at 9 to [John A.] Andrew's office at the corner of Washington and State st. I do not dare to be in the street. I cannot think that when so wide a door is opened before the commissioner, he will not walk out of it, *but he may not.* The troops are ordered out *with ball cartridges*, and there has never been such a display of military force to keep the peace since the Revolution. All the friends as a general thing have behaved well. Of course there is the usual amount of floating folly, men coming down to do great things after *having made their* wills, etc, but there has been great and intense real feeling; I congratulated Deborah that we never should be tried with hearing the brethren say what they *would* have done had they been here, for they have *all* been here. Coming right at the end of the Nebraska bill, the claim is justly considered a special insult to Boston. The Mayor, and the Governor [Emory Washburn] have both been like wet rags. The Mayor should have forbade the C[ourt] H[ouse] to be used as a Slave-pen. It was brought up in the Board of Aldermen to turn them out. There are 6 Aldermen, the vote stood 3 to 3. The Mayor's casting vote decided to keep them in. Walking with Jenny Greene we met the Mayor. She, misunderstanding something I said, stopped him. He told me he believed he had met me abroad. I said no, explained about my sisters, apologized for Mrs. Greene's stopping him and explained the mistake, but said as it has occurred, I would bear my testimony about the C[ourt] H[ouse]. He said we must judge him candidly, he was very painfully situated etc. The truth is he is a wavering, kindly, insignificant, scared to death man. A Hasty Pudding, Wendell calls him. But I must leave off. You may imagine what agitation I am in. *If* the man is sent back there may be great difficulty. I cannot think he will be. Yrs.

A. W. W.[1]

[1] From the Chapman MSS. The subsequent events are given in Adams, *Richard Henry Dana*, I. 277–295, 344–346. On June 6 a pamphlet containing a report of the arrest and trial, with Theodore Parker's "Lesson for the Day," was published by Fetridge & Co.

Mr. LORD submitted an agreement which throws some light upon slavery in Plymouth early in the eighteenth century. The original is in his possession.

These Presents Wittness A Covenant or Agreement made This Twenty Seventh Day of november annoque Domini one Thousand Seven hundred and Twenty Nine, Between Isaac Lothrop Esqr. of the Town and County of plymouth In New: England on the one Part; And Tompson Phillips of the Town and County of Plymouth aforesaid marriner on the other Part Wittnesseth, that the said Isaac Lothrop for and In Consideration of one half a Negro man Sold To him, as below Expressed, By the said Phillips; hath Sold, and Doth hereby Convey and Confirme unto him the said Tompson Phillips, his heirs and Assigns, one half a negro Boy named Euro, aged about foreteen years; and the said Lothrop Doth hereby oblige himself and his heirs To warrant the Sale of the one half of said Boy To the said Tompson Phillips his heirs and assigns against the Lawfull Claimes and Demands of all persons Whatsoever. And the said Tompson Phillips, for and In Consideration of one half a negro Boy Sold To him as above Expressed by the said Lothrop; hath Sold, and Doth hereby Convey and Confirm, unto him the said Isaac Lothrop his heirs and Assigns one half a negro man named Johnno, aged about Twenty five years, and hath but one Legg. And the said Tompson Phillips, Doth hereby oblige himself and his heirs, To warrant the Sale, of the one half of said negro man, To the said Isaac Lothrop his heirs and assigns, against the Lawfull Clames and Demands of all persons whatsoever. And it is also agreed to By the said Party, That the said Phillips Shall Carry said negro boy Euro with him on his present Intended Voyage To Jamaica; one half of said Boy being on the account and Resque of said Lothrop, and upon the Selling said Boy att Jamaica or Else where, Shall Render an account of the one half of the Sale of him, and shall Ship for said Lothrop and on his account and Resque the Value Thereof and To him in Such Commodityies as he may Think may be most To said Lothrops Advantage here.

And also the said Lothrop Shall Take the said negro man Johnno and shall keep and Improve him one half being on the Resque of said Phillips, Shall Do his Endeavours, as well as may be To Teach him the art or Trade of a Cordwainer, from the Day of the Date hereoff, for and Dureing The full Term of one year next following; and att the Expiration Thereoff, said Phillips Shal if he pleases Take the said negro Johnno To himself paying said Lothrop Forty pounds money for his said Lothrops one half of

said negro man. In wittness hereof the said partys have hereunto Interchangerably Set Their hands and Seals the Day and year first above written.

ISAAC LOTHROP.

Signed Sealed and D'ld In presents off us
NATHANIEL THOMES Jun'r.
SAM'L BARTLETT.

Recieved of the within named Isaac Lothrop Twenty pounds money for the one half of the within named nigrew Johnno and for which money I sell the said nigrew man tha. is The one half To the above said Isaac Lothrop his Heires Executors administrators and asins as witnes my hand this 5th Day of December 1730.

HANNAH DYRE.

MELATIAH LOTHROP.
JAMES CUSHMAN.

Mr. GREENOUGH read an extract from a note-book of William Whitwell Greenough:

Boston, October 30, 1841. Dined at Mr. Charles P. Curtis's; in company with several gentlemen among whom were Mr. Webster, Mr. [Rufus] Choate, Mr. Mason and Mr. [Benjamin] Gorham.

Mr. Webster observed that he looked to the consequences of the Bankrupt Bill as very important to the country in one respect: that it would relieve thousands of discontented people on the frontiers from embarrassment, who heretofore had counted only upon a war with England.[1] We had no idea, generally speaking, how extensive were the ramifications of the conspiracy, beginning at Burlington, Vermont, and extending to Cleveland, Ohio, near which were

[1] On June 30, 1841, President Tyler sent to the House of Representatives a memorial signed by nearly three thousand of the inhabitants of the city of New York, praying for the passage of a bankrupt law. He accompanied it with a brief message cautiously recommending such a law. *Messages and Papers of the Presidents*, IV. 54. "This process of petitioning Congress through the President is a novelty," was the comment of John Quincy Adams. *Memoirs*, X. 493. After some discussion a bill became a law August 19, 1841, and after a short and unfortunate experience was repealed in 1843. McMaster, *History of the People of the United States*, VII. 48. Adams made a true forecast of the effect some ten days before the passage of the act: "I believe no Bankrupt law can, in this country, be of much benefit to the class of creditors. The Bankrupt law of 1800 operated as a receipt in full for some hundreds of men who had large debts and nothing to pay. This bill will pass some thousands through the same process. There has been for forty years since that law expired an overpowering prejudice against any Bankrupt law; and now, by a sudden and unaccountable revulsion, there comes a whirlwind to carry it through." *Memoirs*, X. 529. It was the one Whig measure carried under Tyler.

hid in ditches and under haystacks more than five thousand stand of arms. The patriot feeling was so strong in the Western part of the State of New York, that members of Congress made speeches in opposition to their real sentiments for the sake of producing effect. Many of the first men in the State of New York were implicated by their contributions to the patriot fund. Among others Governor Seward and Judge Cowen were known to have given money. The Patriots did not expect to lynch McLeod, although such at one time was the plan, but were momentarily waiting for the event which should break the peace of the two countries. The Lodges, as they are called, extend along the frontier on both sides the line — of which there are three degrees each with oaths more thrilling than the other, of which he (Mr. W.) had copies and which he had thought of publishing. Mr. Gorham remarked upon the singularity of the facts that all these extra-judicial oaths should be taken and these secret combinations exist in the counties of New York where the first Anti-Masonic demonstrations took place.[1]

Mr. Webster related an anecdote of his first introduction to Lord Brougham by Sydney Smith, which shewed that wits had some weaknesses. Two or three days after Mr. W's arrival in London in the winter of '39, Sydney Smith sent for him to breakfast. After sitting about two hours the reverend gentleman proposed a walk for the purpose of shewing the distinguished stranger some of the lions in his vicinity. On passing Lord Brougham's, Smith proposed to take Mr. Webster in to see Brougham, stating that they were on the most intimate terms together, had established the Edinburg Review together, etc. At this solicitation Mr. Webster went in, and was presented to Lord B. as Mr. Clay, without any further particulars. Mr. Webster sat down, and the two friends fell into a conversation immediately upon their own affairs, without taking the slightest notice of Mr. W. Shortly Mr. W. rose, and bowing to Lord B. passed out with his introducer. After walking some distance Mr. Smith suddenly recollected that he had made some mistake, and finding by inquiry that such was the case, he immediately

[1] See McMaster, *History of the People of the United States*, VI. 621. The Hunters Lodges were formed five years earlier, and McMaster, in the same volume (p. 446), gives the following account of them: "Another secret oath-bound association, with a network of lodges all along the border from Vermont to Michigan, was that of the Hunters. Their oath pledged each member to defend and cherish republican institutions and ideas, combat and help to destroy every power of royal origin on our continent, and never to rest till all British tyrants ceased to have any dominion in North America. The members were divided into degrees, had signs, grips, and passwords, and were believed by government spies to number many thousands."

rushed back to Lord B's, who called upon Mr. W. before his return to his house. Mr. Webster stated that a few days since he received a letter from S. S. to contradict a report which disturbed him greatly, viz., that he had made the mis-introduction by design for the purpose of playing off a practical joke upon Lord B. and Mr. W.

An interesting conversation was had upon the corn laws of England, Mr. Sumner [1] against, and Mr. Gorham for, who thought that on them hung the salvation of the English constitution. Mr. Webster said that he rather thought that the preservation of the present order of things consisted in the law of primogeniture, which kept the lands in the hands of the few. The last election in England was a proof of this great power. It was observed by some gentleman that the present election in England had cost more than any other.

The great problems of political economy, said Mr. Webster, after all reduce themselves to two heads. First, how shall a State attain to great power and riches; secondly, how shall this power and wealth be distributed among the people. The policy of Europe at the present moment should be to disarm — each soldier on average costing for his support $500 per annum — and reckoning the standing armies of France, Austria and Russia at one million, they cost yearly five hundred millions of dollars, which were certainly worth saving.

Among other *mots*, it was observed that Mr. Fox,[2] the British ambassador at Washington, seldom rose before four or five o'clock in the afternoon, and Mr. Webster said that if it was necessary to transact any business with him, three or four days' warning was required, when he would rise at 2 P. M. Mr. Webster told him that there was little danger of the peace of the two countries being broken while Clay kept watch, and watched Mr. W. by day, and Mr. Fox by night.

There are now two subjects on which very important negotiations were now pending between this country and Great Britain: the North Eastern Boundary question, made more embarrassing by the conduct of Mr. Stevenson, who had merely entered his protest against the conduct of the British government; and the seizure of vessels on the coast of Africa. Mr. Sumner mentioned that General Cass had told him that Louis Philippe had told him that England was in the wrong. It was suggested that the whole matter should be referred to his arbitration.

Remember Mr. Gorham's answer to Mr. Gallatin on the Louisiana question, and to Gov. Barber [Barbour?] on the law of Massachusetts forbidding the intermarriage of the whites and blacks.

[1] Probably Charles Sumner. [2] Henry Stephen Fox.

Mr. GREENOUGH also contributed, from his collection of manuscripts, a journal of a visit to the "western country" made by his father, William Whitwell Greenough, in 1845.

May 26th, 1845. Left Boston this afternoon for New York by the Norwich Railroad, took boat and arrived comfortably in New York about 6 A. M. on the

27th, and took lodgings at the Astor. Finished business seasonably in the day. Found the family of Mr. S[amuel] A[tkins] Eliot of Boston, and my friends the Misses Norton. Attended the Park Theatre in the evening to see the acting of Mr. Anderson in Claude Melnotte — house full but audience not appreciating.

28th, Wednesday. Found myself rather indisposed and concluded to stay a day in New York and take reflection as to proceeding further. Bade friends good bye in the morning.

Went with Mr. Dixwell to see the paintings at the exhibition of the National Academy of Design: with a few exceptions the paintings were very poor. Noticed a fine portrait in the French style by a Danish artist, also a portrait of a child very much resembling Willie.

In the afternoon went with Mr. Eliot to see the Croton Waterworks, the Reservoir, the Bridge at Bloomingdale, all works of great cost and utility.

29th. Took the Railroad to Philadelphia at 9 A. M. Found at the Ferry Boat some agreeable friends from Boston on their way to Pittsburg, joined forces, and passed over a bad road and by a bad steamboat to Philadelphia, where we arrived in time to dine.

30th May. Took cars for Baltimore, and passed over a wretched railroad, arriving in Baltimore in time for Dinner. Saw my friend Mr. Tiffany. In the evening with our party attended the Museum to witness a vaudeville. Performances spirited.

31st May. Left Baltimore upon the Cumberland Railroad. This road crosses the Patapsco, and runs by the side of Potomac River from the Point of Rocks to a long distance beyond Harper's Ferry where we dined. The road was in good condition and from Harper's Ferry was constructed upon a V rail. We arrived at Cumberland 179 miles from Baltimore at 5½ o'clock, where we passed the night.

1st June. Having chartered a coach we prepared to travel over the mountains by daylight. Our route lay over one range of the Alleghanies upon the road originally constructed by the general government to Wheeling, but now given up to the charge of the indi-

vidual states through which it passes. In the parts of the road which we saw in Maryland and Pennsylvania, it was observed that the part of the road in the limits of the first state were in much better condition than that in the country of the drap[drab]coated gentlemen of Pennsylvania.

The grades over the mountains afforded many fine views of a well wooded region, beneath which exist vast mines of coal and iron. At Frostburg we were informed that fine bituminous coal taken from the mine was furnished at the price of one cent per bushel, twenty eight bushels being called a ton. Near this place are the Mount Savage works, now busily employed in forging railroad iron, one bar of which is made in a minute and a half.

From Mt. Laurel we obtained a magnificent view of the country west and then descended to Union where we passed the night at the foot of the mountains, which after all are not very high, as the highest point over which we passed was but 2600 ft. above the level of the ocean.

The historical associations of this road are interesting. After leaving Cumberland the road at no point is more than 2½ miles distant from the route of the retreat of Braddock's army after their disastrous attempt upon Fort Duquesne. Nine miles before reaching Union, Pa. is the burial place of Gen. Braddock to which point he was carried from the place he was shot about 12 miles from Pittsburg on the banks of the Monongahela. We passed on our right the ruins of Fort Necessity.

June 2d Monday. After a comfortable night's rest at Union, we continued our route to the Monongahela (called Mongehaley by the natives), which we met at Brownsville. Navigation is kept open as far as this place 65 miles from Pittsburg, by means of Dams, four of which are erected in that distance, the fall of water being but 6 in. per mile. A few miles above Pittsburg, the river receives the waters of the Youghiogeny (pronounced Yoh'hogeyny) though they do not appear to increase its volume. Between the junction of the rivers and Pittsburg the ravine is passed where the British Regulars under Braddock received their first disastrous lesson [in] the backwoods warfare of the French and Indians.

Pittsburg was reached about 6 o'clock P.M. and we took lodgings at the Exchange; in passing from the Boat to the hotel, we obtained a full view of the burned district.

After tea, we took a stroll to the new wire-suspension acqueduct opened first to-day across the Alleghany River, and affording an entrance to the city of the Ohio Canal. It is said that this is the only suspension acqueduct in the world, but it was our impression

that the citizens of Pittsburg would be disappointed in the durability of the structure, the vibration rendering constant repair necessary to prevent leakage, aside from the known fact of the gradual consumption of wire ropes by friction as observed in similar bridges.

In the evening I called upon Miss Warden, an agreeable acquaintance made summer before last on the upper lakes. She appeared in good health and spirits.

June 3d Tuesday. After an examination of the different routes leading from Pittsburg, we gave preference to the one through the Western Reserve to Cleveland. The Ohio River is lower than has been known at this season of the year for fifteen years, and only boats of the very smallest description are running. On inspecting one of the best of these I thought it altogether too hazardous matter to trust one's self to such a conveyance, and although it was taking me a long distance aside from my route it seemed better worth while to be turned from one's course than to be sacrificed by steam or be ashore two or three days on the shoals.

One can hardly realize the distress and misery brought upon this thriving city by the devastation of the great fire. It spread in a fan-like form before the wind until the material for fuel was exhausted. In one quarter of an hour a fine bridge across the Monongahela, was kindled and in ashes. The inhabitants are building up again with great assiduity, though the permanency of some of the structures may be somewhat doubted.

No rain has fallen in this region for more than two months, and with the frosts have ruined the crops. The whole country is dried up, and exhibits a most melancholy spectacle.

At this point were erected first Fort Duquesne, and next Fort Pitt. The ground which they occupied is now covered by stores and dwelling houses, but there remain some parts of the enclosures to testify as to what has been. There was pointed out to me an old brick house with the name Coll. Bouquet on a tablet over the door in which resided an officer in the year 1765.

June 4th, Wednesday. Started early this morning on our journey to Cleveland, passed along the banks of the Ohio, through Economy to Beaver, and from thence through Petersburg and Poland to Ellsworth, 73 miles, where we passed the night. Although the material for road making is extremely good, yet the roads are in most shocking condition as far as Beaver — from thence they improve.

Economy is a German settlement or community, where silk is made in large quantities, and is noted for the general industry of its inhabitants. It has the appearance of a German village, though with the peculiarity that the houses are built end-wise to the street.

From what we could gather as we passed along the road, the impression seemed to be that the sect of Rappists (so called from the founder of the settlement Father Rapp who is still living) is on the decline. Their regulations, with the exception of a few of the leaders, do not permit contact between the sexes but once in six years, and consequently one sees no small children about.

Poland appears to be a thriving village. Ellsworth where we passed the night is not remarkable for any particular notability.

June 5th, Thursday. Rain having fallen during the night, we left early and passed over a very pleasant route through Palmyra and Ravenna to Hudson where we dined. This place is the seat of the Western Reserve College, which now contains about eighty students.

Reached Cleveland about 6 P. M. and took rooms at the American, which is badly kept,

June 6th, Friday. Looked over the city of Cleveland which is pleasantly situated on a bluff overlooking Lake Erie, and contains many fine houses, not remarkable however for architectural beauty, but indicating an attempt at the proper, which always leads to something better.

Called upon Mrs. Dodge, and old Boston friends. After dinner as I was writing home received intelligence of the arrival of the St. Louis which was to leave immediately for Detroit. Obliged to leave off in the middle of things, and rush down to the steamer, which instead of departing obstinately waited three hours to take in a supply of coal. We however pushed off about evening into a blowing [wind] and after pitching about all night at a most uncomfortable rate, arrived in Detroit about 7 o'clock on the morning of

June 7th, Saturday, and took lodgings at the Michigan Exchange.

After breakfast made inquiries as to the state of the crops in Michigan, and learned that there was prospect of an average harvest. Saw Larned who invited W. and myself to dine *chez lui*. He had just been married and his bride is a very prepossessing person. After a most agreeable dinner, and interesting view of the grandchildren of the family (7 in number under four years of age) we made up a party for the evening to hear the Swiss Campanologians.

The weather was quite hot, and the country needs rain.

June 8th, Sunday. Warm weather still continues. Thermometer at 1 o'clock 86° of Fahrenheit.

Attended the Episcopal Church in the morning — music better than the preaching.

Our windows at the Hotel command a fine view of the Canada

shore across Detroit River. The town opposite is called Sandwich and it presents quite a contrast to the better settled and cultivated American bank. There is a fine background of foliage which always renders a water view picturesque. The river is constantly alive with steamboats, ferry-boats, and sloops, passing up and down throwing an air of liveliness over the whole scene. Directly before our windows lies the government Ira steamer built at Erie, Pa., which seems a fine model of a vessel.

Took a pleasant walk up the Jefferson Avenue with L. in the cool of the evening.

June 9th, Monday. Left Detroit by the Central Railroad for Marshall, and there took the stage for Battle Creek 12 miles further where we spent the night. The road as far as Jackson is quite bad, but beyond that point it is tolerable. The whole route of the road across Michigan lies through a very level country, and with a heavy rail, it would make a fine road.

We passed a comfortable night at the tavern though somewhat annoyed by the musical talent of the village which found it necessary to increase its practice on the near approach of a military review.

10th. Rode as far as Pawpaw, dining at Kalamazoo. Our progress was interrupted in the morning by the heat and in the afternoon by a tremendous shower from which we took shelter under the piazza of a newly built farm house.

11th. To St. Joseph's and by Boat to Chicago.

Travelling in an open wagon, we had an excellent opportunity to see the country. The road was sandy from Kalamazoo and the travelling heavy.

On the Lake we enjoyed one of the most magnificent sights ever offered to the eye of man. The weather which had been fair suddenly changed and the skirts of a squall struck us as we were going out of St. Joseph. An immense pile of cloud from the N. W. from [which] the most vivid and incessant light constantly descended in forks and jets into the Lake skirted the shore for a long distance and after getting out of its reach, we enjoyed for miles a splendid view of its magnificent operations. In the course of two hours after another immense cloud-mountain from the south-west arose, and hurried to meet its gigantic antagonist. The two combatants met about an hour before we reached Chicago, and then ensued a display of electric power such as I never before witnessed. The lightning assumed every form of motion from the flash which lighted up the interior of the immense mass of vapor to the balls of light which dropped suddenly into the water. After we reached Chicago, the

squall passed over the city, though its force was very much subdued. We found comfortable lodgings at the City Hotel.

12th. A fine day, though warmer than one would anticipate. Called up my friends whom I found in prosperous condition. Disappointed in not finding any letters from home.

After a pleasant walk over the city, took tea with the C——s, and there looked over a series of sketches by the hand of Miss C. which indicated great power in combining the most agreeable points of the landscape. We saw also a fine collection of American Birds which belong to one of the brothers. Chicago is one of the most favorable points in America for getting rare specimens, as it is situated at the end of one of the great lakes and is about the centre of migration, as the birds pass and repass from North to South.

June 13th, Friday. Left Chicago by stage coach to Galena. Our road passed at first over the "Wet" Prairie, which was filled with sleughs and gave one a sorry idea of the excellent road which we had heard distinguished prairie travelling. The road as we went on grew gradually better and passed over many beautiful prairies diversified here and there by an agreeable sleugh.

We passed the night at Belvidere, and the next morning engaged a wagon for Freeport, which we reached about 5½ o'clock on the

14th, and pushed on to Waddams grove where we passed the night in a log-house. The road was over beautiful prairies, covered with the richest soil, and spotted occasionally by log-cabins. Emigration has flowed rapidly into the country during the last five years, and Northern Illinois has been filled up with a good class of population.

Rockford on the Rock River was a beautiful spot, and the whole country in the neighborhood so far as we could see presented great temptations to the emigrant.

Our sleep in the cabin was a new page in the expediency of arrangements. Our apartment contained three beds one of which was curtained for the benefit of ladies who might chance that way. We passed the night rather comfortably, and on the morning of the

15th, took our way towards Galena.

The road wound after leaving Waddams grove over an immense rolling prairie extending in one direction more than forty miles. Its width at the place we crossed was more than twenty miles. From the tops of some of the mounds it presented a scene of vastness not unlike that of the ocean, extending as far as the eye could reach, and swelling onward like the waves of the ocean.

Before we reached Freeport we passed some of the Lead Diggings, and as we approached Galena their number increased.

We arrived at Galena in the afternoon.

16th. Made an excursion to Dubuque in Iowa across the Mississippi which is supposed to contain at this time about 2000 inhabitants. It has the appearance of a thriving place, and contains some well built stores.

Situated in the midst of the lead region, it thrives rapidly and enjoys also an excellent trade from the back country.

Within two miles of this place is the celebrated "Booth's cave," from which a large amount of mineral has been taken. The lead ore in the region is said to run in veins nearly east and west, and the Yankees go about "prospecting" as it is called, hoping from day to day to strike upon some vein which will make their fortune. There are certain external appearances in the surface of the ground from which they judge, and if they find on digging to the rock which lies below a crack or crevice extending east and west, they are very sure of finding a "lead" of mineral below. Such an uncertain manner of getting bread would not seem to promote industrious habits, although the miners are considered thrifty as a class.

Where we crossed the Father of Waters at Dubuque, its breadth swollen by a rise in its upper waters was about a mile and a quarter. I looked upon it with some awe, but felt as in more commonplace matters, that I should [be] better able to appreciate it when I saw more of it.

We spent the night in Dubuque, and from the tops of some buildings obtained a magnificent moonlight view of the great river. We crossed it again in the ferry on

Tuesday, the 17th, and got back to Galena before dinner, leaving W. behind to penetrate further into Iowa.

Galena, the centre of the lead-trade of Northern Illinois and Wisconsin, is laid out upon the Fevre (Beau) River about six miles from the Mississippi. It contains a population of about 5000, and is an active thriving business place. The currency in circulation is principally specie.

I remained here intending to take the Steamer St. Croix on the 19th to go up to St. Peters and the Falls of St. Anthony. My baggage was carried to the boat, but feeling quite unwell, I had it taken back to the hotel. W—— went up in her, and a good night's sleep has sufficiently recovered me. I regretted extremely the loss of so pleasant an excursion. But it was more prudent to remain in Galena with a prospect of sickness than to go up the River.

Finding that the excursion to the Falls must be given up on the afternoon of the

20th, Friday, I took passage on board the steamer War-Eagle for Quincy, where I arrived the next evening after a passage of

27 hours. This boat is called very fast, and has been making crack trips for the accommodation of those who value life but little. We had fortunately no temptations for a race, although at one time it looked as if the Laclede, another fast boat, would give chase.

This then was my first voyage upon the mighty Mississippi, and anything but a comfortable [one]. The boat was studiously contrived for the dis-accommodation of passengers, every thing else being sacrificed to give her speed. There was but one place in the boat where a person could really be comfortable and that was upon the seat in the back part of the ladies cabin.

The river was very high, and most of the bottoms were overflowed. The banks were well wooded, and the scenery quite picturesque. It is said to be finer in the upper part of the river. We passed by many thriving villages, among which I noticed Rock Island, Bloomington, and Burlington. We passed the famous city of Nauvoo, said to contain from 15 to 20,000 inhabitants (doubtless exaggerated), and presents a fine appearance from the river on account of the peculiar prominence given to the temple, now in process of erection. This edifice is built of a grey stone, two stories in height with a tier of portholes between the two ranges of windows. From the distance at which I saw it, merely the general outlines of the building could be seen. The main body of the building appeared to be externally complete except the roof, and there seemed to be the tower or steeple only to be carried up to a further height. What is to be the destination of this singular body of fanatics since the death of their prophet and governor is hard to say: but from the state of feeling which exists towards them in their neighborhood, and from the death of their leader, there would seem to be sufficient cause for the decay of the sect.

June 22nd, Sunday. Quincy is a pleasant city to the traveller. After a long and fatiguing journey to get between clean sheets on a good mattress in a good sized room, is a luxury which cannot be appreciated except by the traveller.

I went to Church and heard a sermon from the text "whatsoever things are true etc." It appeared to be Presbyterian.

After dinner undertook to walk out of town about a mile to Mr. Everett's house, but the broiling sun made the task rather difficult. After some diminution of flesh I arrived there, and got comfortably rested. From the top of his house one enjoys a fine prospect of the Illinois rolling prairie dotted often with fine woods. The open ground being entirely free from stumps presents the appearance of an old country, and in the few spots near at hand that were cultivated the eye looked down upon rich fields, almost ripe for the harvest.

After taking tea, we took a ride of six or eight miles over the land already seen from the cupola of Mr. E——'s house, and found that the land did not belie its external appearance. What a soil for a New England farmer to luxuriate upon! The very weeds which barely reach in Massachusetts to the height of six inches here run up to as many feet. The earth puts forth her produce with an abounding fertility such as is never dreamed of by our industrious population at home. The soil is from two to four feet in depth and of the greatest richness. All the productions which spring from the surface of the earth here germinate with more than tropical splendor. Uniting to the brilliancy of tropical verdure the more desirable products of a temperate clime, nature seems to put forth her strength under the most favorable auspices, and she has marked out this land with its fine climate and luxurious soil for a vast population. Bad government, heavy taxation, and even no regular currency can prevent its progress to wealth and prosperity, though they may seemingly retard it for a while. With such advantages as nature holds out, man cannot go far aside from the path of plenty. Health the great desideratum in new countries seems here to be good — and with health and a common share of industry no man can ever feel want in this country. What a temptation to the paupers of the old world!

June 23d, Monday. The heats of summer seem fairly to have set in. The weather yesterday and to-day has been quite hot. The place seems now to be rather quiet, merchants not finding many customers on account of the preparations for harvesting requiring the attendance of the farmer at home.

Loitered about without accomplishing much. The weather was extremely warm, and after dinner I made a favorable change in my circumstances by going to Mr. E——'s place. The rank luxuriance of soil is really wonderful — the weeds at this season reaching the height of six and eight feet. The fruit in this region has been pretty nearly all cut off by the frost. Mr. E——'s peach orchard which last year produced twenty five hundred bushels will not yield this season a single peach. The late rains will probably injure the wheat crop also.

June 24th, Tuesday. A rainy morning, unacceptable to the farmers.

I begin to be heartily tired of this place and shall get out of it as soon as possible.

Spent the afternoon and evening at Mr. E——'s place. The shower, still continued, keeps the country quite damp. I observed that the farmers were cutting their wheat in order to prevent rust. While at Mr. E——'s examined some fine specimens of model

engines and drawings made by his son Edward, and some amusing and well arranged scrap books collected by his son Samuel.

Found at the hotel an acquaintance from Boston going up the river, Mr. Wood. The merchants of our goodly city seem determined to do a great business in soliciting trade.

June 25th, Wednesday. Left for St. Louis in the steamer Die Vernon.

To-day is my twenty seventh birth-day, one of the sad anniversaries of life, reminding one of his progress towards the grave, and of his sins of omission more than of commission. Spent at this distance from my wife and little ones it is more than usually sad. The deepest marks which time leaves in my nature are to be seen in the channels worn by anxiety and apprehension of harm to those I love. As one lives the longer, the more he becomes aware of the great uncertainty of life, and the great chance of misfortune. The stronger the ties of affection which bind one to existence, the greater the sources of a fear of the evil day!

Our sail down the river, which might have been pleasant, was rendered quite tedious by the long stops made in taking freight, and postponing our arrival at St. Louis to a late hour in the night or rather to one o'clock in the morning. After getting upon the levee with my valise in hand I made for the Planter house where I got comfortably ensconced for the night, though I was so much fatigued that I did not get rested so much as I expected by the short sleep until seven in the morning.

June 26th, Thursday. Was astonished by the great size and increase of St. Louis, which already contains the elements of greatness. The natural advantages of situation are unequalled by any inland city in the country, and perhaps in the known world. Healthily seated upon rising ground, and regularly laid out, with fine houses built and building, it already presents the appearance of an old place. The only disagreeable feature of its architecture at which I particularly revolted was the court-house. The residences in general were built without any attempt at taste, and were indicative of a strong impulse of a new settled country, viz., to get a comfortable shelter as soon as practicable.

Found several old friends and acquaintances and passed the day quite agreeably. Took tea with my friend Mr. C——, who has built a good house on the outskirts of the town.

Afterwards called to see an old classmate H—— and had a long chat over our reminiscences.

June 27th, Friday. Hot day and more rain.

After breakfast W. H—— called to see me and carried me to

ride over the city. When one reflects for a moment upon the vast country tributary to St. Louis, the great growth of the city ceases to be surprising. The comely streets, built up with comfortable houses, convey the idea of an older city than St. Louis really dates. H—— dined with me and after dinner I wrote home.

June 28th, Saturday. Another hot and sultry morning with rain — cleared off from the North after noon.

This day was set aside by the citizens for a demonstration of respect to the memory of Gen. Jackson, but seems rather to be a celebration. It afforded a fine opportunity of seeing the different classes of citizens, and the various institutions of the city. The Catholic seemed the preponderating influence. Their schools turned out in full force, as with a far-reaching propagandism they have taken orphans wherever they have found them, and are educating and supporting them in the faith. The Odd Fellows and Freemasons were also out in some force, though not so numerous as at the East. The Fire Companies in gaudy shirts and fancy colored clothing presented quite a variegated line of watermen. The whole affair went off with tolerable decorum, though there seemed to be a strong tendency to jollification out of the line of procession.

Called upon Field of the River Reveillee whom I had known in Boston, and received from him some late Boston papers as well as some spirited back-nos. of his own journal. He seemed to remember his Boston friends with considerable affection.

After dinner packed up and sent my baggage on board St. Domain, bound up the Illinois River — and having taken leave of my attentive friends, put myself on board — and took leave of St. Louis with great lightness of heart, as I felt that my head was turned towards home, although still at a considerable distance.

June 29th on the Illinois River.

The anniversary of the birth-day of Willie. My anniversaries unfortunately generally happen when I am away from home, and then they only bring up sad recollections — for they bring to mind how much a man sacrifices who tears himself away from his fireside, and overworks himself for uncertain gain.

The sail up the river was delightful. The stream is quiet, and the scenery upon the banks harmonizes beautifully with its even flow. Every thing seemed in unison, and in repose.

We arrived at Henry on the morning of

June 30th, and chartered a poor conveyance to Peru — where finding a lumber wagon pushing on for Ottawa I took passage, and arrived at the latter place in a state not much better than alive about

ten o'clock in the evening, and found lodgings in a poor hotel called the City Hotel, where however they did what they could to make me comfortable.

The next morning

July 1st, after an unquiet night's sleep I chartered a wagon to take me to Naperville and underwent a most fatiguing day's ride over a most delightful country. Certainly on the face of the earth there can be no more beautiful scenery than is found in the rolling prairie dotted with woodland that is found in Northern Illinois. In its natural state it resembles a garden more [than] the most cultivated spots in New England. How the French ever relinquished their grasp upon this country is surprising.

We arrived in the evening at Naperville, a small town on the Fox River, and found a comfortable hotel.

July 2nd. On rising this morning found myself shut in by a heavy rain which promised to defer for another day my arrival at Chicago — but I determined to set forward and accordingly found myself after dinner on my way with a good pair of horses before me, and more mud and blacker than I ever saw before, under me. We reached Chicago to my great joy at quarter before seven, where to my great surprise I found my friend W—— who had been to Milwaukee, Mackinaw, and back again to this point. I heard also of the arrival of the Rev. Mr. L—— whom I did not see, because I learned he was ill.

Was rejoiced by three letters from Kate and to find that all was well at home. Went to bed and got a good night's sleep calculating on a day of rest for the morrow.

July 3rd, Thursday. The quiet day however proved to be a far busier day than I had anticipated. Business turned up to my hands in looking after people who had and were going forward to our care.

The weather was charming, the wind blowing cool and clear from the North.

Wrote home and prepared to push forward through Michigan, and edge farther towards home.

Fine cool bracing wind from the N. W.

July 4th, Friday. After a comfortable night's rest found myself on board St. Champion and bound for St. Joseph. Found unexpectedly an old friend B——. After reaching that place, we took stage and journeyed on without much variety, till we arrived at Marshall, with the exception of an overturn of our stage, which I fortunately did not share in happening to be upon my feet in the

road a little distance in advance of the vehicle when the accident happened. After riding all night without further molestation we got to Marshall about 8½ A. M. on

July 5th, Saturday, and putting ourselves into the cars were glad to find a resting place in Detroit the same afternoon. There I was revivified by two letters from home, and afterwards went to bed quietly between clean sheets and in a sufficiently airy room. Detroit, always a pleasant town, looked more delightful than ever to my eyes, as it seemed to be really on the border of home, though nearly a thousand miles from that agreeable place.

July 6th, Sunday. A warm day.

Attended the Presbyterian Church in the morning and listened to a very prosy sermon from Mr. Duffield, the pastor.

Wrote home after dinner.

Called upon the Catholic Bishop for the purpose of discovering Mr. Lawrence but was unsuccessful in my research.

July 7th, Monday. Took the cars for Pontiac over the worst railroad which it has been my fortune to travel over — although there is said to be one in Florida quite equal to it. They have however the good sense to proceed over it at a very moderate pace, so that accidents rarely occur.

Made an excursion in the afternoon to a beautiful lake called Orchard Lake from an island in its centre which contains a fine plantation of fruit trees said to have been placed there by the Indians, but more probably by the French. The day was extremely hot and we refreshed ourselves by a dip in its cool waters; we then rode home with a heavy shower impending but it passed off to the South to the great regret of the natives, who desire rain for their crops.

I remained in Pontiac until Saturday 12th, my journey to Flint and Byron being fortunately stopped by the arrival in Pontiac of the people whom I wished to visit, and I was enabled to obtain all the information I needed without going out of the place except to Waterford, about four miles distant.

The weather during the whole week was very hot, and no rain fell. The wheat ripens fast and the harvest already commences. The merchants feel very much encouraged at their prospect of getting out of debt, and the farmer hopes to obtain a price for his wheat which will wipe off the scores of this year and last — and he will be disappointed in his expectations, as the great crop will bring but a small price per bushel in the market.

The inhabitants of this quiet burgh have at present however a subject uppermost in their thoughts of more ideal value than their

wheat crop. The immense stores of copper to be dug from the bowels of the villainous earth with little trouble and but a small outlay have heated to a violent pitch all the money grasping sensibilities of the neighborhood. The idea of acquiring a fortune at an easy rate, with no particular exertion is abundantly attractive. One citizen very gravely told me that from one ton of copper ore had been extracted more than three thousand dollars worth of copper and also more than three thousand dollars worth of silver, making the whole product of the ton of mineral over the value of six thousand dollars! In this little village already exist three companies, the North American, the Michigan and another whose name I did not learn. The asserted success of the Boston (Lake Superior) Company, which, with fifty dollars per share paid in, is about to pay a dividend of at least one thousand dollars, excites every body to emulate the same success. Like all other financial bubbles, and fancy stock operations from the time of the famous South Sea operations to our own day, victims have never been wanting to the shrewd bubble-blower — and Michigan having reaped one abundant harvest in her Wild-cat bank operations seemed destined to try the dragon-teeth again in the copper regions of Lake Superior! A worthy gentleman pitying my ignorance and poverty kindly presented me with three shares of the Michigan Mining Company, and prosperity begins to dawn upon my hitherto unappreciated labours!

The few days spent in Pontiac, in spite of the great heat have refreshed and recruited me exceedingly. The quiet, and good fellowship which I met with, proved quite inspiriting — and the time passed away very pleasantly between business and 'otial' vocations. The Hodges house kept by John Bacon is very well kept, and the traveller finds himself comfortable.

On Saturday I started in a buggy for Detroit, unwillingly compelled to ride in the very hottest part of the day, in an open buggy. Accordingly I stripped myself of my coat, my vest being already laid aside, and with a coarse Michigan straw hat upon my head, presented an appearance more picturesque than graceful. We however managed to get along more comfortably than I should have imagined, and arrived in Detroit about 5 P. M. on

July 12th, Saturday — a city which combines more comforts for me than any other western place, and one that seems nearer home.

Made a pleasant call after tea upon the Larned family, and went to bed betimes though the evening was so hot that sleep made her approaches slowly.

July 13th, Sunday. Another broiling day.

Staid at home from church, as the day was really too broiling for

locomotion. Quiet was the only business to be attended to. Wrote home after dinner.

At noon there was a fine show of cloud, and appearances indicated a heavy shower, but a whirlwind rose and darkened the atmosphere with dust, a few drops of rain fell, and then every thing passed off.

July 14th, Monday. Hotter still.

Took the cars for Ann Arbor and returned. The atmosphere was horrible.

Preparing to get off home.

July 15th, Tuesday. No change of heat.

Went after breakfast to the State Geologist's office, where I saw some fine specimens of the fossils and of the minerals of Michigan. The State collection is at the University of Ann Arbor, and is said to be very fine. From the specimens which I saw it is easily credible. Mr. Van Buren obtained for me a specimen each of native copper, black oxide, and black and green oxide, which are to be the foundation of so much imaginary wealth to miners, and speculators. One of the state officers informs me that there are probably from five to six hundred companies already in existence. Most of them on no foundation or location, either literally or physically.

Made my farewell calls, and in the evening at ¼ before 7 left Detroit for Buffalo in the British St. London which goes by the Canada shore. We had a fine run down the river to the lake overtaking and passing the New Orleans before we put in at Amherstburg, where we wooded. The night was calm and insufferably hot, and very little sleep was gained by any one. We arrived at Port Stanley in the morning, and had a pleasant run from there without stopping to Buffalo, at which place we arrived at 7 o'clock, making the run in twenty-four hours including stops.

Found a good bed, and a night's sleep at the American, and the morning of the

July 17th, Thursday, took the cars for Syracuse. Our journey was enlivened by a party of Quakers who had been out [to] the Cattaraugus Reservation to make their yearly visit to the Senecas who are under the charge of their sect. There were perhaps a dozen in the party, male and female, and a merrier and more amusing body of people it is not easy to meet. At Syracuse we snatched about two hours' sleep, and took the cars for Albany at 4 o'clock next morning,

July 18th, at which place we arrived at 1¼ o'clock just in time to take the cars for Springfield without a half minute to spare. We got

into S. at 8 o'clock and found a resting place in that traveller's heaven, Warriner. The next morning

July 19th, Saturday, at 7 found myself in the cars again, and reached Boston 20 minutes after 12 o'clock, and very comfortable in body and mind, after a journey of nearly 4000 miles by land and by water, without accident, with no serious illness, and with successful business results. Disagreeable from the want of conveniences for the traveller, it is nevertheless interesting from the novelty of the country, and the magnificence of the scenery. But a journey to be endured every year, irksome in the extreme.

Remarks were made by Messrs. LONG, T. L. LIVERMORE, THAYER, GREEN, DAVIS, and SANBORN.

Alex. W. G. Allen

MEMOIR

OF

ALEXANDER VIETS GRISWOLD ALLEN, D.D.

By CHARLES L. WELLS.[1]

Dr. Allen was a great prophet in the original sense of that much misunderstood term, one who could think God's thoughts after him and interpret the ways of God with men, whether in nations or in individuals. It was natural then that he should find his true position in life as a teacher of Church History, which is preëminently the place for a prophet.

He was born May 4, 1841, in the little town of Otis, Massachusetts, where his father, the Rev. Ethan Allen, a graduate of Brown University, was rector of the Episcopal Church. His mother was Lydia Burr, of a distinguished eighteenth century New England family. Dr. Allen was the second of three children, all born in Otis. The oldest was Henry John Whitehouse Allen, and the youngest a daughter named Adelaide.

From Otis the family moved to Nantucket, and later to Guilford, Vermont. In 1859 he entered Kenyon College, where he received his A.B. degree in 1862, afterwards remaining for two years in Bexley Hall, the Theological School at Gambia, connected with Kenyon College, during which time he was editor of the *Western Episcopalian*.

The next two years, 1864–1866, were spent at the Andover Theological Seminary. He was ordained Deacon, by Bishop Eastburn, at Emanuel Church, Boston, July 5, 1865; and Priest, by the same Bishop, at St. John's Church, Framingham, June 24, 1866.

In 1865, on his ordination to the Diaconate, he became minister of St. John's Church, Lawrence, and in 1867 accepted the position of Professor of Ecclesiastical History in the newly established Episcopal Theological School at Cambridge. Here he

[1] Submitted to the Society through the Editor. See *Proceedings*, xlii. 6–10.

married, in 1872, Elizabeth Kent Stone, daughter of Dr. John Seely Stone, the Dean of the School, and granddaughter of Chancellor James Kent. Here, also, his two sons were born, Henry Van Dyke Allen, in 1873, and John Stone Allen, in 1875.

In 1871 he was editor of the *Christian Witness*. In 1877 he made his first trip to Europe, and, in 1878, received from Kenyon College, his Alma Mater, the degree of Doctor of Divinity, the first academic recognition of his high scholarly ability. During all this time, by wide reading and profound study, he was laying broad and deep the foundations of that scholarship which showed itself in his remarkable teaching, and later in his published works.

He was born into the old-fashioned evangelical churchmanship, the deep piety and reverent spirit of which never left him. In his seminary days and later, however, this developed into a broad churchmanship which ministered to that large-minded, generous, tolerant spirit which characterized the whole attitude of his thought and expression.

Dr. Elisha Mulford, the distinguished author of *The Nation*, came to Cambridge about 1880, and was his intimate and devoted friend. In 1881 Dr. Mulford published his great theological work, *The Republic of God*, an exposition of the Creed, and Dr. Allen reviewed it in the *Princeton Review* for November, 1882, and January, 1883, in two articles entitled "The Theological Renaissance of the Nineteenth Century." In this review he showed the essential relations of this modern school of theological thought with the early Greek theology of Athanasius, Origen and Clement of Alexandria. In 1883, at Philadelphia, he delivered the Bohlen Lectures on "The Continuity of Christian Thought," published in the following year. These lectures made a profound impression on the English-speaking Christian world. They were the work of a learned historian, a profound theologian and a true philosopher. With his deep insight into truth and reality Dr. Allen had caught the essential spirit of all the great points of view and leading systems of Christian thought, variant as they might seem, down through all the ages of the Church's history, and pointed out their underlying significance and mutual relations. It was essentially a justification of modern theology as held and taught by Coleridge,

Maurice, Kingsley, Robertson, Stanley, Mulford and Brooks, showing its real continuity from the earliest theology of the Christian Church, the Alexandrian, as the truest interpretation of the Gospel and the "Faith once delivered to the Saints." Had he written nothing else, it would have proved his title of teacher and historian, and his rightful position as a true prophet in the world of thought and letters.

He felt and realized the true greatness of history, and used to quote approvingly Pope's line: "The proper study of mankind is man," and the thought which Terence long before expressed, when he said: "I am a man, and I do not regard anything that pertains to man as foreign to my interest."

History is the true sphere of the prophet, and Church History is its highest form. Dr. Allen was worthy of the subject. He took little interest in philosophy as a department of intellectual activity, yet in spirit he was a true Hegelian, as was his friend Dr. Mulford. He had a genius for real reconciliation, not by neglect, nor by denial, nor by the compromise of any element of truth, but by realizing all in a higher unity where the partial truths appear as the elements of a larger whole. An interesting, practical aspect of this characteristic may be seen in his two articles which were published in the *Independent*, the first on "The Approach to Christian Union," in the number for March 29, 1888, and the second entitled "Christian Union," in the number for March 20, 1889.

He wrote an appreciative tribute in memory of Dr. Mulford, which appeared in the *Christian Union*, March 18, 1886; and also contributed to the *Church of Today*, August, 1889, a memoir of his friend and colleague, Dr. George Zabriskie Gray, the highly esteemed Dean of the Cambridge Theological School. At the same time he contributed three articles on "Episcopacy," "The Episcopal Church" and "The Reformed Episcopal Church," for the *Concise Dictionary of Religious Knowledge*, published in New York in 1889. Several valuable chapters by him, on important subjects in Ecclesiastical History appeared in various collections of lectures, etc. For example: "The Norman Period of the English Church," in a book entitled *The Church in the British Isles*, published in 1890; "Frederick Denison Maurice," in *Prophets of the Christian Faith*, 1897; and "Primitive Christian Liturgies," one of ten lectures delivered

by different scholars in a course entitled "Christian Worship," given at the Union Theological Seminary, New York, in 1896. He also contributed a chapter on "The Place of Edwards in History," to the volume entitled *Jonathan Edwards, a Retrospect*, published in 1901. This gives some idea of the variety and frequency, as well as the timeliness and value, of his "occasional" work.

He had a passion for reality, and with his deep spiritual insight and sympathy, he appreciated all that was good and true. This may be seen in two of his well-known books. In 1889 he published *The Life of Jonathan Edwards*, the great New England Calvinist; and in 1900 appeared his monumental work on Phillips Brooks, the great American Bishop and Broad-church Preacher. Two of the greatest and most widely differing religious leaders of the nineteenth century live in these portraitures.

The *Life of Edwards* is accepted by his most devoted followers and admirers as a most sympathetic and just presentation of the man, his life and creed, and his great place in theological thought and in New England religious life.

The *Life of Phillips Brooks*, in three volumes, is all that such a work could be, written by one who was his lifelong intimate companion and friend, and by one who was in almost perfect agreement with all his intellectual positions and utterances. It is the tribute of the scholar in his study to the scholar in the practical life of the world.

He could be quite as just and sympathetic in his delineation of the Quakers and of the Romanists, of Origen and of Augustine, of Clement and of Calvin, of Luther and of Cranmer, of Erasmus and of Ignatius Loyola, because he saw the real where there was reality, and was able to help others to see it.

Several characteristic articles by Dr. Allen appeared in the *Atlantic Monthly*, a list of which is interesting: "The Transition in New England Theology," December, 1891; "Phillips Brooks," April, 1893; "Samuel Taylor Coleridge," September, 1895; "Horace Elisha Scudder: An Appreciation," April, 1903; Two notable reviews also appeared, one on Mr. Scudder's *Life of Lowell*, February, 1902, and the other on Professor Palmer's *George Herbert*, January, 1906. This list is completed by the articles "Bishop White," in the *Christian Union*, January 14,

1893; "Dean Stanley and the Tractarian Movement," in the *New World*, 1894; "Sundays in Edinburgh," in the *Outlook*, August 31, 1895; "The Pope's Bull," in the *Outlook*, November 7, 1896; and "The Organization of the Early Church," in the *American Journal of Theology*, October, 1905. He also contributed to the *New York Sun*, in March, 1901, a series of articles on "Protestantism," which were afterwards published in book form.

In a truly remarkable work, *Christian Institutions*, published in the International Theological Library, in 1897, his unique power of prophetic interpretation is applied to the three great Institutions of the Church; its Organization, Creeds and Sacraments, through a careful and thorough study of their historical development. In a profound historical and theological analysis of the doctrine of the Trinity, Dr. Allen speaks thus of the three attitudes of the human mind:

First, "the study of external nature which gives birth to science, a pursuit absorbing in interest and rich in its results and achievements." Second, "another sphere which, to its votaries, far surpasses in importance and in its vast consequences, the study of nature; that is, the study of human history. If science reveals God as manifest in nature, history reveals the Deity as the controlling will in the career of humanity as a whole, until the conviction grows of some remoter purpose of the Divine to which the whole creation moves. These spheres are so distinct and separate that rarely or never does one arise who is equally at home in both. But there is also a third attitude in the modern world — the department of literature and poetry and art, whose significance lies in the inner revelations of the contents of the human spirit, disclosed, not so much in event and circumstance of history as in the motions of an inner life, whose deepest source is enveloped in the mystery of the human personality." [1] There was something of each of these elements in Dr. Allen's intellectual make-up, though his was preëminently the historical and, in the truest sense, the philosophical mind. His most striking characteristics were purity and justice; moral and intellectual purity, and a truly scientific sense of justice.

[1] For a splendid example of his clear beautiful style and profound philosophical insight, read the whole passage, *Christian Institutions*, 296–300.

He was very careful in his writings and really brooded over what he wrote. He would never let a book go to his publisher till the last moment, loath to let it leave his hands until he was perfectly satisfied that it was the best that he could do. He once said, in regard to his *Continuity of Christian Thought*, that, if he did it over again, he would bring out more prominently the work and influence of Clement of Alexandria.

His recognition as a scholar is attested by his receiving the degree of Doctor of Divinity, not only from Kenyon College, in 1878, as already noted, but also from Harvard in 1886 and from Yale in 1901.

It was in 1886 that he was elected a member of the Massachusetts Historical Society, in which he took great interest, and of which he remained a member until his death. In 1897 he delivered before the Society an "Address on Philip Melanchthon; on the Occasion of the Four Hundredth Anniversary of his Birth." [1]

Dr. Allen had a beautiful voice, clear, musical and expressive; it was a revelation to hear him read, especially the Psalms, the Prophets or the Gospels. Yet he was not an impressive preacher, not striking, nor emotional, nor hortatory, not nervous enough. As a teacher, however, his calm clear utterance and deep insight were most illuminating and inspiring to thought and life. Many a student would go out from a lecture all on fire with the interest of new perceptions and having received an almost startling revelation of the real meaning and far-reaching influence of some event or crisis in history. He taught his students how to think, how to know and assimilate truth. He had a true sympathy with, and thorough understanding of the immature, inexperienced and slow-moving mind of a young student. Sincere, patient, suggestive and inspiring, there was nothing narrow, petty or egotistical about him. Naturally his personal influence was very great. He personified, by his own example, the method of his teaching, clear, logical, rational and impartial. He was tolerant of others' faith, not because uncertain of or indifferent to his own, but because he so thoroughly understood theirs, and could put himself in their place and realize their point of view.

One of his maxims gives a key to much of his own successful

[1] 2 *Proceedings*, XI. 257.

interpretation of history: "Always find an adequate cause and a worthy explanation of every event or institution in history if you would really understand it."

His home life meant a great deal to him and was just the environment needed for the scholar and the teacher. Mrs. Allen was descended from a line of scholars on both her father's and her mother's side, and was always bright, intellectual and interesting, and her husband, her children and her home were always first in her thought and care. Dr. Allen was a quiet, reserved man in his tastes and manner of life, and Mrs. Allen was a sort of means of communication for him with the outside world, and he was well satisfied that it should be so. Their summer life at Boxford, where they had a charming old country house, was ideal. They had been married twenty years when she died, in 1892, an indescribable loss which he felt most keenly. One of his most spiritual and thoughtful courses of lectures entitled *Religious Progress*, the course of Yale Lectures delivered at New Haven in 1895, was published and dedicated to her memory the same year. The previous summer of 1894 he had spent in Edinburgh, and afterwards another year abroad in 1901–1902.

As the recognition of his ability as a historian grew and extended, he responded to many of the calls made upon him and greatly increased the sphere of his acquaintance and influence.

He inaugurated the Noble Lectures at Harvard in 1898; giving his lecture on "The Message of Christ to the Individual Man" in the course on "The Message of Christ to Mankind." He gave also the Dudleian Lecture at Harvard in 1904, on "The Roman Catholic Church." In addition to his continuous teaching at his own Theological Seminary at Cambridge, he gave regular courses at Radcliffe, at Harvard, and in 1905 at Chicago University. In 1907 he published a shorter *Life of Phillips Brooks*, in one volume, and, in the same year, *Freedom in the Church*, a scholarly, frank and clear discussion of modern theological problems, as interpreted in the light of history; a book which was widely circulated and aroused nearly as much interest and criticism as his *Continuity of Christian Thought* had done over twenty years before.

During the last few years he lived a very lonely life; his sons had gone out into the world, his close friends, Mulford and

Brooks, had passed into the great beyond, and he needed companionship and home. It was a great joy, and the promise of a new happiness, when he found these in Miss Pauline Cory Smith of Boston, whom he had long known and esteemed, to whom he was married in 1907. But his labor was nearly over, and after a short illness, he fell asleep, July 1st, 1908, in the Cambridge which he loved, and in the active service of the School where he had taught for over forty years.

Few men of this age have influenced more profoundly than he has done the thinking men of the religious world, not merely by his instructions to the students of an important theological school and in the largest universities of the country, but through his students, his lectures, his writings, his friendships and his life. He was a true prophet of the living God, and he did his part to help on the coming of the Kingdom of which he was a loyal subject, and whose principles, as revealed in history, he so well understood and so faithfully interpreted.[1]

[1] A tender and appreciative tribute to Dr. Allen, his character and scholarship, was given in a sermon by his colleague, Professor Nash, at a Memorial Service held November 23, 1908, which was published by the School, together with the Service used on the occasion, prepared by the Rev. John W. Suter of the class of 1885.

A complete biographical memoir by the Rev. Dr. Charles L. Slattery, Rector of Grace Church, New York, will be published early in 1911.

FEBRUARY MEETING

THE stated meeting was held on Thursday, the 9th instant, at three o'clock, P. M.; the first Vice-President, in the absence of the President, in the chair.

The record of the last meeting was read and approved; and the Librarian read the list of donors to the Library during the last month.

The Corresponding Secretary reported that letters accepting their election had been received from Henry Herbert Edes, as a Resident Member, and from Samuel Verplanck Hoffman, as a Corresponding Member.

The Cabinet-Keeper reported the gift, by Mrs. Francis B. Davis, of Plymouth, of three silver badges of Harvard College clubs, the Hasty Pudding Club, the Porcellian Club, and the M[onks] O[f] F[lagon], which were the property of the late William Nye Davis, of the Class of 1851, grandson of John Davis, a former president of this Society.

Dr. DE NORMANDIE submitted a memoir of Edward J. Young; Professor HAYNES, one of E. Winchester Donald; and the Editor, for Franklin B. Dexter, a Corresponding Member, one of Morton Dexter.

The EDITOR announced a gift from the PRESIDENT of ten interleaved almanacs, 1728–1778, belonging to Rev. William Smith, of Weymouth, and one, 1765, belonging to Dr. Cotton Tufts. These almanacs are in continuation of the twelve issues given by Mr. Adams to the Society in March, 1909, and printed in June of that year.[1] The series thus comprises twenty almanacs of Rev. Mr. Smith and three of Dr. Cotton Tufts. The years covered in this second gift of the Smith almanacs are, 1728, 1759, 1761, 1762, 1765, 1766, 1767, 1771, 1777 and 1778. Also a gift of manuscripts by Mr. Henry Howell Williams Sigourney, of Milton. They relate to claims for damages to the property of Henry Howell Williams on Noddle's Island by

[1] *Proceedings*, XLII. 171, 444.

the Provincial troops in May, 1775, and contain papers signed by Generals Ward and Putnam, Colonel Burbeck, William Tudor, Moses Gill and others.

Mr. CHANNING read the following paper:

COMMERCE DURING THE REVOLUTIONARY EPOCH.

From a strictly military point of view the futility of the Revolution is easily apparent. On either side there were brilliant feats of arms, as the surprise at Trenton, the assault on Stony Point, and the concentration of the allied forces at Yorktown; some of Greene's operations in the South also are deserving of military remembrance. On the British side Sir William Howe's flank march in the Long Island campaign was planned and executed in a manner entirely worthy of him who seventeen years before had led the advance up the cliffs of the St. Lawrence to the capture of the guard at the head of the path that led from Wolfe's Cove toward the Plains of Abraham. The conception of the campaign against Philadelphia was bold in design and the operations at Brandywine were broadly conceived and well carried out. Ordinarily the Revolutionary War was conducted with torpor by both parties to it. Washington is occupied in writing letters to Congress, striving to gain soldiers, equipment and food. Every winter sees his army reduced to the dimensions of a bodyguard and held immovable in camp by its necessities. On the British side Howe is constantly delayed by the lack of troops or of essential supplies. The lack of effective transport facilities reduces both commanders to immobility. Washington's soldiers starve in the midst of plenty because there are not enough wagons to transport food to them. Before the war transport from one colony to another, and, indeed, from one part of one colony to another part of it, was almost entirely by water. It took time to provide wheeled vehicles, and draft animals were not plentiful. A comparative study of prices shows how inadequate were the means of distribution, even to the civil population within a radius of forty or fifty miles, and the requirements of thousands of men suddenly assembled in one region were beyond the power of the people to supply. As to the British, the case was even more complicated, for their soldiers had first of all to be

transported from Europe, whence practically all their supplies, except rum, were drawn, and the orders from the home government to the commanders in America had likewise to be carried in the same uncertain mode. Had Howe been able, as he desired, to transport the soldiers at Boston to New York in the autumn of 1775, he might then have occupied enough territory to have procured food for his soldiers, his horses, and the loyalist refugees in America, and thus have saved vast expense to the government and, indeed, have put a different face on the whole movement. The vessels bearing recruits and supplies, which left the Channel in the summer of 1775, were blown off the coast, even to the West Indies, with the exception of one, an ordnance brig, which sailed under the guns of an improvised man-of-war and furnished the army blockading Boston with much needed munitions of war. The lack of these transports condemned Howe to inaction all the autumn and winter of 1775–1776, and compelled him and the Bostonians to feed on pork and beans, not altogether to the benefit of the soldiers' health or the temper of the loyalists. In one year the British government paid £36,956 sterling for thirty-five cargoes of oats shipped for America for the use of the forces there, and £44,217 for the freight of the ships employed in carrying the oats to America, including the "value of the ship *General Murray*, . . . which was captured by the Rebels";[1] or £81,173 sterling for this one article alone. In May, 1777, Lord George Germain signed a despatch to Sir William Howe expressing the hope that his operations about Philadelphia would be terminated in time to enable him to coöperate with Burgoyne. This despatch contained the first hint that Howe was expected to subordinate the operations of the main army to that of a secondary force. It was delivered to him late in July, while he was sailing up the Chesapeake. Three thousand miles of salt water and the gales of the north Atlantic did away with fifty per cent of the excess of Great Britain in population and wealth, as against the Americans.

In Great Britain and America there is observable a most remarkable lack of desire to become professional soldiers.

[1] *An Account of Extraordinary Services incurred, and paid by the Right Honorable Richard Rigby, Paymaster General of his Majesty's Forces* [*January*, 1781–*February*, 1782], *and not provided for by Parliament*, 19, 20, 22.

England could not recruit her armies in Britain, at any rate, not without greatly changing the conditions of pay and service. Gibraltar was garrisoned by Hanoverian troops; regular British regiments were filled up with convicts and paupers, Scottish Highlanders and Lowlanders, Germans and Irishmen, both Catholic and Protestant. A whole army, as armies went in those days, was hired for the war, of German princes who then were customary purveyors of man flesh, trained and equipped for the field, and American loyalists formed another large contingent. In America there is observable a similar dislike to military professionalism. The farmers were willing to embody and march for a short distance; but they demanded their own officers and deserted by the thousands if they were ordered to a distance or kept in employment unduly. It would be interesting to discover how many native-born Americans served in the ranks of the Continental line, but probably this can never be done. For 1781 Parliament voted sixty-three thousand men for the American service. Of these, the eight thousand or so with Cornwallis in Virginia formed the only offensive field force. Their loss at Yorktown might have been supplied from German sources or, perhaps, the Czarina might have proved more complacent in 1782 than she had been in 1775; but there was no money in the British exchequer to pay for new levies. It was necessary to reduce the garrisons on the American seaboard and, indeed, to withdraw them as soon as possible. The weight of France and Spain demanded great expenditures for the defence of Great Britain and Ireland, and also for operations in the West Indies. The aid given by France to America in the form of men and ships was really much less than the assistance she gave in the way of diverting England's strength in money and men to other uses than campaigning on the North American continent. To this general draining of English resources the disorganization of her administrative departments greatly contributed.

The administrative weakness of Congress and the consequent great waste of money are patent to every observer of the Revolutionary conflict. They contributed greatly to the distress of Washington and his soldiers, but were not fatal where so much depended upon the efforts of individual states and of the local levies. Administrative disorganization in England

was now almost at its highest point. Five departments contributed to the carrying on of the conflict. The colonial secretary, with the approval of the king and of the cabinet, directed the general conduct of military and naval operations in America; he was the chief executive of the ship of state for that particular purpose. The details of military organization belonged to the Secretary at War, who, however, except as a member of the cabinet, was not consulted as to such matters as to whether Howe should march north or should march south. The feeding of the soldiers and supplying them with clothing and equipment belonged to the Treasury and was actually managed by one of the secretaries of the Lords of the Treasury. The transport service was partly in the charge of the Treasury and partly in that of the Admiralty, while the supplying of guns and ammunition was given to the Ordnance Board. A genius, like the elder Pitt, could compel all these to work in harmony, but Lord George Germain, whom Providence made Colonial Secretary in November, 1775, was far removed from that category. Corruption and the open and unblushing use of public money for private gain were at its worst in these days. When the king was using these opportunities to buy political support in the two houses of Parliament, it is not to be wondered at that politicians of all parties grasped eagerly at the means of increasing their fortunes and thus providing for their families. Charles James Fox's father had resigned his office of Paymaster of the Forces in 1764; the trustees of his estate in 1780 still retained the public balance that was in his hands, using the interest that arose therefrom for the benefit of his heirs, among whom was the Whig orator. Lord North's private affairs gave him so much concern that the king noticed the gravity of his demeanor, and inquired of John Robinson, the Secretary of the Lords of the Treasury, as to its cause. Upon his replying that the First Lord was disturbed over his private affairs, the king gave him a present of twenty thousand pounds. After reading these anecdotes and fifty more like them, one is prepared for the disagreement between Rodney and Arbuthnot, when the former's unexpected arrival at New York deprived the latter of some thousands of pounds of prize money, and, descending to persons of humbler clay, to read of pigs being kept in the naval storehouses and fed on

ship's biscuit by the store-keepers. Wages and salaries were low in those days compared with the present, but when all possible means of emolument were brought together, the resulting totals might not be so very different. The legitimate expenses of carrying on the war in America, the vast expenditures required for the defence of the British islands, the constant drain on the Exchequer, to provide the king with the sinews of war in his contest with the Whig oligarchy, the wastage due to corruption and what nowadays would be called peculation, and the loss of income due to the stoppage of American trade brought the British Treasury to the verge of depletion in 1781. A few years later the vast expansion in manufacturing gave new sources of taxation; but now every resource seemed to be exhausted. In that year Lord North floated an eight per cent loan by giving a bonus of about twelve per cent and told his royal master that the end was nigh.

While England was becoming financially weaker, year after year, the people of the United States were preserving their economic life and grasping at new sources of wealth. The reader of Washington's letters recalls constant references to the rage of the people for riches and display and to the speculation everywhere apparent. He deplores this, as did many others. The tremendous depreciation of paper money in those years was, no doubt, painful and harassing to many people; but, as Washington points out, if one did not hold the paper for any length of time, the loss in any one transaction was not great. Agriculture, the buying and selling of lands, and general plantation operations went on in Virginia through the war, except in the actual presence of British armies. The outbreak of hostilities put an end to the ordinary course of commerce with Great Britain; but it opened new avenues of trade with the rest of the world. The war also operated in some measure as a protective tariff and compelled the people to embark upon industrial enterprises. Commerce, no doubt, was interfered with, but whatever regular profits were lessened were made good in part by privateering. At the outset, Lord Barrington, Secretary at War, had suggested that no land war should be waged on the American continent, but that the coast should be carefully blockaded. In Edinburgh, in 1776, there was pub-

lished an anonymous pamphlet in which were the following words: "When an effectual stop is put to their export-trade, the boasted power and strength of the rebellious Colonies must soon be annihilated." This was never done. Every year during the war American staples found their way to European markets, even to those of England, and likewise there was a constant current of European manufactures into the United States. Prices for these were greatly advanced, even in hard money; but, on the other hand, the prices of American staples in European markets were likewise advanced. Possibly a study of the tobacco trade will be as good a way of elucidating this point as any.

In the years 1773 to 1775 the average importation of tobacco into Great Britain was ninety-nine million pounds yearly.[1] In the same years the average exportation of tobacco from Great Britain was eighty-three million pounds, leaving a home consumption of sixteen million pounds in each year. In the years 1777 to 1782 the average yearly consumption was five million pounds. Throughout the war tobacco found its way from the American plantation to foreign markets. Under the requirement of the navigation acts all tobacco was taken directly to England or to some other plantation and thence re-exported, but as there could be very little direct trade of any kind between the North American Colonies and the countries of continental Europe, practically the whole crop had been taken to England and thence distributed. Early in the war a contract was entered into with the Farmers General of France, by which they took a large amount of tobacco, for its sale was monopolized in that country by the government; some tobacco, also, was sold in Spain,[2] although contrary to Spanish law but with the connivance of the government. Some tobacco also went directly to Holland, and thence found its way to Germany and England, but the usual route from the Chesapeake

[1] The figures are deduced from tables in Lord Sheffield's *Observations on the Commerce of the American States* (2d ed., London, 1783), Appendices I, III, and IV, from "Report of Committee of House of Commons on Finance" in *Parliamentary Register*, XXIV., Appendix No. X., and *Reports of Committee of House of Commons*, XI. 48, 53.

[2] For instance, in 1781 Gardoqui & Sons of Bilboa account to the Cabots of Beverley for 124 hogsheads of tobacco brought by the *Rambler* for 237,567 riales of vellon. *Nathan Dane Manuscripts* in the Society's Collections.

to Europe was by way of St. Eustatia and the other neutral Dutch and Danish West India islands. The requirement of the navigation acts that tobacco should be brought directly from the plantations to England interfered with the importation of it by the way of neutral ports, and Parliament was obliged to pass an act permitting this hitherto unlawful trade. In the winter of 1781–1782, owing to the capture of St. Eustatia and to the closure of the Chesapeake by reason of the siege of Yorktown, tobacco rose to three shillings per pound in England; but within a few months it had fallen to two shillings. Throughout the war considerable quantities of tobacco reached Great Britain through prize ships captured from the Americans.

American, French, and Dutch vessels loaded tobacco from the warehouses on the banks of the great rivers of Virginia and were sometimes captured there. Waiting for a favorable gale from the north and west, the loaded vessel could run down the river and the bay and pass the capes with slight risk of capture, for the same wind that drove her out would drive the watching British cruisers and privateers away, or compel them to anchor in some sheltered nook along the coast. When these watchers became too numerous, the tobacco was taken over land to the Delaware on the north or more often to some North Carolina port to the south, whence it could be carried to sea with slight risk of capture, owing to the peculiar conformation of the northern Carolina coast. Once on the open ocean there was little danger of capture until the port of destination was approached. When Rodney captured St. Eustatia in 1781, he found more than one hundred and twenty-five vessels at anchor in the roadstead, and captured one a day for a full month thereafter. The warehouses of the island were filled with tobacco, rice, and other commodities, awaiting transshipment, and the beach was piled high with casks and hogsheads filled with colonial staples. Robert Beverley declares (February 25, 1782) that the capture of St. Eustatia had seriously interrupted communication between Virginia and England. The course of this trade may be gathered from an entry in the "Facteur Boëk" of De Neuville & Son of Amsterdam as to certain shipments from London and Hull to Virginia, Edenton, North Carolina, and Charleston by way of

St. Eustatia. These goods were sent by the *Thetis*, *Resolution*, and *Young Pieter* in 1780. Some of the goods on the *Resolution* were shipped on the account of William Kennedy & Company of London; others were brought from England by Philip Hawkins of Charleston, South Carolina, who was "going passenger on the said vessel." Some of the cargo was on the account of the De Neuvilles and had been brought from London and Hull. Robert Beverley, who notes the dislocation of the indirect trade with Great Britain, gives us in his letter book other evidence of the intimate relations that were sustained between one Virginia planter, and possibly others, and people in England. He himself had been educated at Trinity College, Cambridge, and desired his son to have the same advantages. Accordingly, in 1779, he sent him over to England by way of Amsterdam, and directed his bankers in London as to the young man's finances. Beverley does not seem to have been a loyalist; but, on the other hand, he had no interest in the Revolution.

The De Neuville "Facteur Boëk" contains the details of sixteen consignments by as many different vessels. Of these one of the most interesting is the *General Washington*, which was despatched from Amsterdam for Virginia direct, on account of George Mason early in 1781. The details of her cargo fill five pages, but its total value was not large, being only some three or four thousand florins. The articles shipped were typical of a Virginia planter's needs. There were blankets, osnabrigs, earthenware of all kinds, scissors, buttons, muslins, kid gloves, "ribbands," a woman's black silk hat, sewing silk and tape. Then there was good French brandy, seventy-two quart bottles of it, Holland gin, hundreds of empty quart bottles evidently for bottling Madeira or Port in the cellars of Gunston Hall; corks, olive oil, shot, hose, and rope, sugar, pepper, cloves, and tea, broad axes, whetting stones, frying-pans, wool cards and playing cards, and a long list of apothecaries' goods as "rubarbe," corrosive sublimate of mercury and Venice treacle. Altogether the inference is that Mason had made one or more consignments of tobacco to the Amsterdam firm of which we have no memorandum, or had otherwise established his credit with them. This vessel, it will be noticed, sailed directly from Amsterdam for Virginia. At

almost the same time two other vessels, the brig *Alexandria* and the brig *Maryland*, likewise sailed for the Chesapeake.

Among the sixteen vessels despatched by the De Neuvilles were some for Philadelphia, but the most interesting of them all were those which were sent to New England, Six of the sixteen sailed for Boston direct; two others sailing for St. Eustatia, but having large consignments of goods on board for Boston. Captain William Haydon commanded the *Hannah*, which sailed in May, 1780, and the *Juno*, which left Amsterdam early in 1781, both bound for Boston. The cargo of the *Juno* was valued at 67,000 florins, that of the *Hannah* at less than half of that amount. Otherwise the two were very similar in character. On the *Hannah* was German steel for Stephen Salisbury and also for Joseph Barrell, the latter taking in addition china ware, earthen pots, house brushes, spices, linens, velvets, writing paper, children's toys (among the rest a furnished kitchen valued at over six florins), wafers, flat-irons, tea and tea-kettles and window-glass. To Thomas Walker was consigned a considerable amount of tea, and Isaac Sears had more tea and linens, and some yards of blue flowered velvet. John Brown, of Hartford, Connecticut, was charged with textiles of one sort or another to the amount of sixteen hundred florins. Jarvis and Russell, of Boston, had on their account fifteen chests of tea and one box of super-Hyson tea, sail cloth and duck, flowered fustian for ladies' petticoats, superfine scarlet broadcloth, buttons, knives, forks and card wire. Paschal and Smith, also at Boston, had red lead, blankets, lace, brocades, calicoes, coach-glasses, window-glass and black pepper. Loring and Austin were charged with consignments of silk mitts, tapes, thread and gauze. Joseph Coolidge had black satin for ladies' gowns, Mrs. Anne Deblois one box Ben-Hyson tea, which was valued at two hundred and ninety-three florins, and the captain had on his own account tea, German steel and window-glass. Among other consignments on New England account may be mentioned two trunks which were received by the De Neuvilles from "Mr. George Harlay of London per the *Harmonie*, Roelof Holm master, and reshipped on order and for account of Mr. Christopher Champlin, Merchant in Newport, Rhode Island."

I have found no invoices giving details of consignments from

French ports, but there are many mentions of French vessels in American ports in the Revolutionary newspapers, and in March, 1778, Monsieur Roulhac wrote to Henry Laurens, his letter being dated Charleston, South Carolina, that several ships from his house at Bordeaux are in American ports: one at Charleston, S. C., two at Boston, one at Northampton on the Eastern Shore of Virginia and one at Savannah. There can be no doubt whatever that there was a large private commerce with France in addition to the public and semi-public trade that has been so thoroughly studied in connection with the affairs of Silas Deane and Arthur Lee and of the French Alliance. More interesting, because so much less is known about it, is the evidence of considerable private dealings with Spanish ports.

The part played by Spain and by Spaniards in our Revolutionary struggles has hardly received the place it deserves. The Spanish government contributed liberally toward the fund for the purchase of supplies and munitions of war and individual Spaniards also gave largely. Arthur Lee managed this business for America and did it well, while Joseph Gardoqui and Sons, and especially James Gardoqui, acted as agents for Lee in Spain, not only in disbursing funds, but also in collecting them. They shipped great quantities of supplies from Bilboa. In 1778 there were 18,000 blankets, 11,000 pairs of shoes, 41,000 pairs of stockings, besides quantities of shirtings, tent cloth, duck and medicines, all amounting in that year to nearly 600,000 riales of vellon. Besides transacting this business, the Gardoquis served as agents for American shipping firms. As yet the papers have not been collected to any great extent, but the available material which, as in the other cases, consists partly of items gathered from the newspapers, shows that the private commerce with Spain and with the Spanish West India Islands was extensive and important. In 1779, the *Independent Chronicle* of Boston advertises the sailing of the *Salem Packet* for Bilboa with cargo space for goods outward and homeward. The agent of this vessel was Elias Hasket Derby. A few days later, Richard Derby is trying to get a bill of exchange for one thousand pounds sterling and informs his correspondent that bills "on London will answer as remittances to Gardoqui & Sons." The Cabots of Beverly had had business

transactions with this Spanish firm since 1771. In the years 1777 to 1785 their dealings were quite extensive. These included the disposal of prizes taken by privateers in which the Cabots were interested, as well as more regular commercial dealings. Among the vessels mentioned in the accounts between the Cabots and the Gardoquis, is the *Rambler*. She appears to have been a "letter of marque" rather than a privateer or regular merchant vessel. She made several voyages, one in 1777, another in 1781 and another in 1783. On her homeward trips she carried iron, brandy, blankets, window-glass, gunpowder, cordage, silk handkerchiefs, and tea. Her cargo, including commission and expenses, on the 1781 voyage amounted to 170,726 riales of vellon, and that of 1783 to 383,512 riales. These are merely specimens of goods and accounts which might be considerably extended.

Another way to gain some idea of the extent and course of private commerce during the years of war is to examine the lists of American vessels captured by the British. No complete list can be compiled, but sufficient details can be gathered from the *Remembrancer*, the *London Chronicle* and the manuscript journals of Admiral Lord Howe and Admiral Gambier to confirm the impression that one gets from invoices, letters and diaries. Taking the captures reported by Howe and Gambier in the years 1776 to 1779, we find that five hundred and seventy American vessels in all were taken by ships under their orders, or by privateers fitted out by the loyalists at New York and reporting to Admiral Gambier. Of the five hundred and seventy American merchantmen, one hundred and eleven were bound to or from the West India Islands, twenty-five to or from South Carolina ports, nineteen to and from North Carolina ports, eighteen to and from the Chesapeake, more than fifty to and from the Delaware and about seventy-five to and from New England ports north of Cape Cod. Their cargoes included rum, molasses, sugar, coffee, salt, baled goods, wine, tea, gunpowder, tobacco, rice, and, in general, about the same things that vessels engaged in the same voyages would have carried before the war, with the exception that European manufactures now came either direct or by way of the neutral West India Islands. It is noticeable that some of the New England vessels were laden with tobacco, which

shows that the coastwise commerce was prosecuted during the war, and the taking of vessels from the Bermudians laden with salt gives evidence of the equivocal position of the inhabitants of those islands. While on this subject of captures it would be well to note that American privateers were even more successful in capturing British ships. The cargoes of these prizes supplied American markets with quantities of English goods in much the same way, indeed, that the planters of Jamaica and Barbadoes obtained staves and fish from the North. Besides these transactions which may be regarded as regular, so far as anything is regular in war, there also was an absolutely unmeasurable commerce through the lines with the British at New York. Some of the vessels reported captured had, in all probability, sailed from Philadelphia and other ports with the expectation of landing their cargoes at the mouth of the Hudson. There was also traffic between the people living on the two sides of Long Island Sound. The memorable case of Holmes *v.* Walton arose in New Jersey over the confiscation of silks, and other goods that had come through the lines. The business of running goods from the shores of New York harbor to the interior parts of New Jersey was so extensive that we find evidence of it in the advertisements, as of the stage to Burlington which stated that no "run goods" would be taken.

By whatever means and whatever routes English and foreign goods got into America, they certainly were abundant after the first years of the Revolutionary War. This is well shown by the advertisements in the newspapers of the day. The *Gazette of South Carolina*, published at Charleston, on September 30, 1779, tells us that John Walters Gibbs has for sale "At his store on the Bay" Madeira wine by the dozen, fine Turkey coffee, gold spangled buttons, best razors silver tipped, garden rakes, plane irons, and many other articles. Again, on February 9, 1780, John Blewit offers for sale "at his Store near the Three Legs in King Street" rum, sugar, coffee, duck guns, superfine India chintzes, sweet oil, "Spanish segars with cases for ditto." After the surrender British merchants, who always followed the armies, settled at Charleston, and in the *Royal Gazette*, which was at once published in that town, offered for sale large quantities of English goods; and a con-

siderable quantity of these must have found their way through the lines into the country. The *Maryland Journal and Baltimore Advertiser* in November, 1776, contains the advertisement of Isaac Vanbibber. He offers for sale at Baltimore, gunpowder, claret, cordage, linens, osnabrigs, and many other articles which are described as "just imported" in the schooner *Success*, Captain Hill, and the sloop *James*, Captain Booker. Philadelphia stores were well supplied with foreign goods, except possibly during the few months of the British occupation. The *Pennsylvania Packet*, in 1779, advertises for sale sugar by the hogshead, green tea by the pound, indigo, Russian sheeting, Barcelona handkerchiefs, looking glasses, and ladies' dressing glasses, Madeira, playing cards and corks, thirty kinds of dress fabrics, English and French gold watches, a long line of apothecary's goods, as opium, "camphire," cantharides, vitriol, shellac. Among articles that are described fully are two "very thick plated elegant Table Chafing Dishes of the newest fashion; the only ones of the kind that have ever been imported and offered for sale." One of the advertisers closes his list with the phrase "and a number of articles too tedious to mention," — a confession that would shock the modern professional advertiser.

Crossing the Delaware into New Jersey, the papers contain an even greater assortment of goods. For example, there was Israel Canfield, of Morristown, who advertises in the *New Jersey Journal* a very long list of things from which the following have been taken, ribbons, laces, rattinet, tea, glass, ginger, chocolate, and coffee; and Oudenaard and Reed of the same town offer for sale lawns, white gauze, millinet, janes, moreen, sleeve buttons, women's hair combs, pepper, and indigo. In the same paper Captain Carter, whose store was at the appropiately named place of Bottle Hill, offers for sale, West India rum by the hogshead, Geneva and brandy by the barrel or bottle, and snuff and salt in large or small quantities. In November of the same year William Richards at Trenton advertises for sale aloes, balsam capivi, jalap, opium, and other drugs, "with a complete assortment of patent medicines," also West India goods, English and Dutch scythes, pickled sturgeon, and very fine hair powder. The Boston papers contain numerous offerings. In February, 1778, the *Gazette* con-

tains an advertisement of the cargo of the ship *Marquis de Cassigny*, Monsieur Talman, from Bordeaux. The list is a long one, including window-glass, canvas, Bohea and green tea, drugs and medicines, paper, shoes and soap, almonds, anchovies, claret and brandy, figs, lemons, fruits preserved in brandy and a long list of muslins and other materials for women's clothing. A few days later, one hundred tierces of French rum, forty cases of Geneva, three cases of liquors, two of lavender water, and a quantity of sewing twine, pins, and needles, and two boxes of hats were advertised as "just imported from Martinico."

In picking out articles for enumeration in the foregoing paragraphs, the effort has been made to present a just picture of the importations. It appears that the ending of the navigation system introduced the people to French claret and brandy and to Holland gin, to which they had been strangers for the most part in the old colonial days. The constant presence of tea shows that the tea-drinking habit was more wide-spread in 1775 than has sometimes been supposed. The continued demand for articles that were clearly luxuries is interesting as showing that the purchasing capacity of the people was still extensive. Finally, the advertisements taken in connection with the invoices and lists of captures are convincing proof of the widespread extent and character of the commerce of the Revolutionary epoch.

Mr. Brooks Adams presented a paper developing the history and legal principles involved in the disputes between France and the United States, 1794–1800.

The Convention of 1800 with France.

In 1885 Congress passed an act referring the claims of American citizens against the government of the United States, for losses suffered because of French spoliation of American commerce during the last years of the eighteenth century, to the Court of Claims for adjudication. Among other questions which arose in the litigation which followed was the right of resistance to French search by American merchantmen armed under the authority of Congress. This question was argued several times, as the most valuable ships were those which had

been most often put in a condition to defend themselves, the last argument having been made in the case of the schooner *Endeavor*. The present communication is an elaboration of a brief filed in that cause. The facts on which the case rested were as follows:

The schooner *Endeavor*, of which Nathaniel Griffin was master, being an armed vessel carrying a commission issued by the President of the United States under the Act of July 9, 1799, sailed on a return voyage from Demerara on the eleventh of October, 1799, with an innocent cargo, bound for Boston. While pursuing her voyage, on the sixth of November, 1799, at eight o'clock in the morning, the captain sighted the privateer, the *Victor*, manned by about sixty negroes, mulattoes, English and Americans. On the privateer bearing down, he hoisted French national colors and fired one of his bow chasers; he then gave three cheers and fired a second gun. The *Endeavor* fired her stern chaser. After firing the second gun the privateer struck the French national and hoisted the bloody flag, hoisted his square yard and manned it, in order for boarding, and fired a volley of musketry.

Seeing resistance to be useless, the *Endeavor* struck her flag and surrendered. The privateer took possession.

The *Endeavor* was finally condemned by the Tribunal of Commerce and Prizes sitting at Basse-Terre in the island of Guadeloupe, on January 7, 1800, as a prize of war, for the benefit of the captors.

General Washington fought the action of Great Meadows in 1754, and with that battle a revolution began which terminated only with Waterloo in 1815. During those sixty years which comprised the Seven Years' War, the American Revolution, the French Revolution and Napoleonic Wars, Western civilization was reorganized. Possibly no social movement has ever been so momentous, but of this momentous movement, the most momentous phenomenon, by general admission, was the rise of the United States as a nation.

During these two generations the American people experienced many vicissitudes. Even their independence ceased to be precarious only with the signature of the treaty of Ghent in 1814. At times during both the War of the Revolution and that of 1812 their position seemed desperate, but we can now

see that they reached the lowest point of their fortune during the old Confederation, just previous to the first inauguration of General Washington as President. Then Washington began the great work of his life, the organization of this Government. For his success he has enjoyed the credit he deserved. But Washington performed a second, and almost equally important service for his country, which is unrecognized. This service was the establishment of a defensible frontier against the British which made permanent independence possible; for nothing can be more certain than that the union of these States would have been dismembered had the British in 1812 held the commanding positions along the Great Lakes, which they held in 1789. Washington recovered for the United States the famous western posts, Oswego, Detroit, Niagara, Mackinac and the rest, the key to the valleys of the Hudson and the Mississippi, from which the American flank could always be turned and their rear attacked. The price Washington paid for these posts was the abandonment of the French alliance which had been established by the treaties of 1778. He paid this price by accepting the Jay treaty in 1795. In retaliation for this breach of faith the French made reprisals, and Washington's successor compensated the French for the abrogation of their treaties by abandoning to them the claims of the American merchants whom they had robbed.

Of these claims, which were bartered in this manner in 1800, that for the schooner *Endeavor* is one, and the United States Court of Claims has held that, this private property having been thus taken for public use, the United States should make compensation. Moreover, the United States can well afford to make this tardy act of reparation; for, although the treaty of 1800 was once bitterly assailed, I apprehend that no intelligent American who calmly weighs the evidence can now doubt that the United States gained more by the treaty of 1800, at a less price, than by any single negotiation it ever carried through, save only the treaty of alliance with France in 1778, the treaty of peace with Great Britain in 1783, and the treaty of Ghent in 1814.

Indeed, what the United States then gained was almost incalculable. In 1798 the Union stood upon the brink of dissolution. The Kentucky and Virginia resolutions were frank

nullification, and the agitation causing those resolutions was the direct effect of the breach with France. That breach followed upon Washington's acceptance of the Jay treaty, an acceptance forced upon him by the necessity of regaining the posts.

This fierce social agitation ended with the treaty of 1800. The whole country was pacified. Complete tranquillity followed. But the restoration of harmony was only the beginning of benefits. The possession of the western posts enabled us to fight the War of 1812, to win the victories of Lake Erie and Lake Champlain, of Lundy's Lane, of Chippewa and of Fort Erie, — in a word, to make good our frontier. Without those posts no man can reasonably doubt that New England would have been invaded in 1814, and Massachusetts would have seceded.

But if our country has reaped such advantages from the treaty of 1800, it surely owes a debt of gratitude and of honor to the men by whom those advantages were won, and among those men the foremost were the class to whom the owners of the schooner *Endeavor* belonged. Through their courage and energy the President of this remote and feeble republic was enabled to deal on equal terms with Bonaparte, and so to impress the greatest soldier of the age with American prowess that he determined to confide to her a jewel he could no longer himself defend. After defeat in Santo Domingo Napoleon recognized that he could not protect Louisiana against a British attack. Therefore he conveyed Louisiana to the United States in the hope that they might succeed where he must fail. How America acquitted herself of this task at the battle of New Orleans is well known.

It appears to have been assumed that the relations of America toward France during this period from 1796 to 1800 were solely those of a neutral toward a belligerent; and that if America suffered injury from France, it was because France abused her belligerent rights. It is also assumed that nations must either be at war or at peace, and that if America was not at war with France she must have been at peace with France, and therefore had no right to resist the French claim as a belligerent to search for contraband of war in American ships.

Setting aside for the moment the legal limitations of the right

of search, and the manner in which France disregarded these limitations, it is a fundamental misconception of law to assume that nations must be at war or absolutely at peace. There is a perfectly recognized and well established intermediate condition known as a condition of reprisals which is subject to its own code. This condition of reprisals arises when a nation which conceives itself to be wronged by another proceeds to redress its own injuries by seizures. Necessarily, differences arise which lead to armed collisions. The relations between the two States then become equivocal. If war follow, then the declaration of war is held to be a declaration of animus from the outset, and all claims for damages are merged in one general loss by war. If, on the contrary, the reprisals be terminated by a reconciliation, then the peaceful animus relates back, and mutual compensation for loss is provided for.[1]

This is the theory of general international law as expounded by Wheaton, who thus described reprisals:

> Among the various modes of terminating the differences between nations, by forcible means short of actual war, are the following: . . .
>
> 4. By making reprisals upon the persons and things belonging to the offending nation, until a satisfactory reparation is made for the alleged injury. . . .
>
> General reprisals are when a State which has received, or supposes it has received, an injury from another nation, delivers commissions to its officers and subjects to take the persons and property belonging to the other nation, wherever the same may be found. . . .
>
> The effects thus seized are preserved, while there is any hope of obtaining satisfaction or justice. . . . If the two nations upon this ground of quarrel, come to an open rupture, satisfaction is considered as refused from the moment that war is declared, or hostilities commenced; and then, also, the effects seized may be confiscated.[2]

During the middle ages the condition of reprisals was the rule and perfect peace the exception. There was hardly a remote frontier in Europe on which private war was not incessantly waged.

The border between England and Scotland is an example.

[1] This was the doctrine laid down by Lord Stowell in the Boedes Lust, 5 C. Robinson, 233.

[2] Wheaton, *Elements of International Law*, §§ 290, 291, 292. The Boedes Lust, 5 C. Robinson, 246.

Raids, forays, burnings and cattle-stealing went on perpetually. The old ballads are filled with the story of the fighting. "Chevy Chase" is a famous example, where both Percy and Douglas fell.

> Of fifteen hundred Englishmen,
> Went home but fifty-three;
> The rest were slain in Chevy-Chase,
> Under the green-wood tree.

To prevent general wars and to give satisfaction to the sufferers from such acts of violence the Wardens of the Marches held a court. At one of these courts, held in 1575, the English Warden, Sir John Forster, declined to prosecute a notorious English felon. Sir John Carmichael, the Scottish Warden, bade him "play fair." Forster retorted, and finally a regular action took place, known as the "Raid of Reidswire," in which the English were defeated and Forster and a large number of border chiefs were taken prisoners.

Here is a case precisely in point. The capture was a capture by reprisal for refusal to execute legal process. It was not war. The English ambassador did not leave Edinburgh. He simply declined to lie in a bed of state which had been prepared until this "odious fact" had been explained. The Regent Morton did hasten to explain to Queen Elizabeth, satisfaction was given and received and the general peace remained unbroken.

The effect on private rights of the passage from a condition of private war or reprisals to a condition of public war was so well recognized in the middle ages that the proclamation of war was a public and solemn ceremonial performed by heralds, and this proclamation regulated rights. According to Wheaton, the latest example of this formality was the declaration of war by France against Spain at Brussels, in 1635, by heralds at arms. After that time the passage from the condition of reprisals to the condition of public war was marked, by common consent, by the cessation of diplomatic intercourse. But as long as two nations abstained from actual war, as the French plenipotentiaries pointed out in the negotiation which led to the treaty of 1800, a *locus pœnitentiæ* remained, and if an agreement were reached "it would follow as a necessary consequence . . . that the parties should be reciprocally indemnified for

the injuries mutually sustained during the existence of that misunderstanding." [1]

I need hardly point out that great feats of arms have been performed during these periods of reprisals. Drake's famous cruise in the *Pelican* was made during reprisals.[2] On his return he gave Elizabeth of the Spanish spoil a diamond cross and a coronet set with splendid emeralds, which her Majesty wore on New Year's Day. Meanwhile, Philip had fomented an insurrection in Ireland. At a later day Drake made his raid on the West Indies and took and ransomed Carthagena.

Every great war was preceded by a period of trouble along the border. Before the Seven Years' War broke out Clive made his memorable defence of Arcot, and Washington fought for the possession of Duquesne. Coming down to our fathers' memory, Jackson made his campaign in Florida during a period of reprisals.

Jackson's campaign in Florida is, perhaps, the most interesting precedent touching reprisals in American history, for, on that occasion, Mr. Monroe's administration declared and enforced the American doctrine. And the American doctrine is only the doctrine of universal international law.

In the War of 1812 the English had violated Spanish neutrality and had carried on hostilities against the United States from Florida as a base. Among other military measures, besides occupying Pensacola and Barrancas, Colonel Nicholls, who commanded the British force, built a fort on the Appalachicola, which he armed and provided, and then, on evacuating the country after the peace, gave the fort, fully supplied, to the Indians to serve as a stronghold. Presently it fell into the hands of refugee blacks, and became a den of brigands with whom Spain could not cope.

Soon border disturbances began in which two Englishmen, a trader named Arbuthnot and one Ambrister mingled, advising and encouraging the Indians. Finally, in 1817, a boat ascending the Appalachicola, with a detachment of thirty men, seven women and four children, was surprised and those on board massacred. It became necessary to protect Georgia.

[1] Note of 23 Thermidor, year 8 [August 11, 1800]. *American State Papers*, Foreign Relations, II. 331.

[2] Froude, *History of England*, XI. 398. On the subject and examples of reprisals in law and in history, see Moore, *Digest of International Law*, VII. 119; *Encyclopædia Britannica* (Tenth ed.), I. 160.

Jackson was ordered to pacify the country. He marched at once with his usual energy. He crossed the frontier on March 11, 1818, occupied on March 16 the site of the negro fort which had been destroyed, and thence began a pursuit of the enemy. Believing the Indians to be sheltered in St. Mark's, he occupied that Spanish fortress by force. There the Scotch trader Arbuthnot was apprehended. Ambrister afterward was captured under arms.

Jackson tried these two Englishmen by court-martial. They were sentenced to death. Ambrister was shot, but Jackson hanged Arbuthnot to the yard-arm of his own schooner, *Chance*. Subsequently Jackson attacked Pensacola and captured Barrancas after bombardment, making the garrison prisoners.

Meanwhile, Spain and Great Britain, though uneasy, remained at peace with the United States. The law touching Jackson's operations, and the executions which accompanied them, was laid down by John Quincy Adams in his famous despatch to Erving, United States Minister at Madrid, dated November 28, 1818. That despatch ended the controversy and brought about the cession of Florida.

I extract some paragraphs to show its tenor:

"There was a boat that was taken by the Indians, that had in it thirty men, seven women and four small children. There were six of the men got clear, and one woman saved, and all the rest of them got killed. The children were taken by the leg, and their brains dashed out against the boat." [1]

Contending with such enemies . . . mercy herself surrenders to retributive justice the lives of their leading warriors taken in arms, and, still more, the lives of foreign white incendiaries, who, disowned by their own Governments, and disowning their own natures, degrade themselves beneath the savage character by voluntarily descending to its level. Is not this the dictate of common sense? Is it not the usage of legitimate warfare? Is it not consonant with the soundest authorities of national law? . . .

It is thus only that the barbarities of Indians can be successfully encountered. It is thus only that the worse than Indian barbarities of European imposters, pretending authority from their Governments, but always disavowed, can be punished and arrested. Great Britain yet engages the alliance and co-operation of savages in war;

[1] Passage from a letter of Peter B. Cook, Arbuthnot's clerk, dated January 19, 1818.

but her Government has invariably disclaimed all countenance or authorization to her subjects to instigate them against us in time of peace. Yet, so it has happened, that, from the period of our established independence to this day, *all* the Indian wars with which we have been afflicted have been distinctly traceable to the instigation of English traders or agents. Always disavowed, yet always felt; more than once detected, but never before punished; two of them, offenders of the deepest dye, after solemn warning to their Government, and individually to one of them, have fallen, *flagrante delicto*, into the hands of an American general; and the punishment inflicted upon them has fixed them on high, as an example awful in its exhibition, but, we trust, auspicious in its results of that which awaits unauthorized pretenders of European agency to stimulate and interpose in wars between the United States and the Indians within their control.

This exposition of the origin, the causes and the character of the war with the Seminole Indians, . . . which necessarily led our troops into Florida, and gave rise to all those incidents of which Mr. Pizzaro so vehemently complains, will, it is hoped, enable you to present other and sounder views of the subject to His Catholic Majesty's Government.

It will enable you to show that the occupation of Pensacola and St. Mark's was occasioned neither by a spirit of hostility to Spain, nor with a view to extort prematurely the province from her possession; that it was rendered necessary by the neglect of Spain to perform her engagements of restraining the Indians from hostilities against the United States, and by the culpable countenance, encouragement, and assistance given to those Indians, in their hostilities, by the Spanish governor and commandant at those places; that the United States have a right to demand, as the President does demand, of Spain, the punishment of those officers for this misconduct; and he further demands of Spain a just and reasonable indemnity to the United States for the heavy and necessary expenses which they have been compelled to incur by the failure of Spain to perform her engagements . . .[1]

[1] *American State Papers*, Foreign Relations, IV. 544. The history of this famous despatch, which embodied a perfect defence of Jackson's acts and was adopted by the President and Cabinet only after a long contest in the Cabinet Councils — Adams standing practically alone at first — is told in Adams, *Memoirs*, IV. 105–173. The subsequent political history of the letter was also important. Jackson refused to acknowledge any indebtedness to Adams for this defence, and attacked him with a bitterness that nothing could temper, for what he wrongly believed to have been Adams's attitude towards him at this time. No better example could be asked of Jackson's unreasoning hatred of men in public life who at any time crossed his path or seemed to oppose his policies. [W. C. F.]

Resistance to foreign attack is of the essence of reprisals, for courts cease, during these intervals, to give relief. It is only when a reconciliation has been effected that the peaceful animus relates back. Then the two nations, in the very words of the French in this controversy, "should be reciprocally indemnified for injuries mutually sustained during the existence of that misunderstanding." And then "it would be just and proper to extinguish even the remembrance of the recriminations which have occurred during the period of their existence." [1]

Given the fact of reconciliation, peace has in law prevailed unbroken, and every injury is to be made good. The two nations, and their citizens, are to be restored as they were before. Of course, injuries sustained in conflict, as they are usually the gravest, are those which are the most carefully provided for, especially those suffered by the nations themselves, such as the loss of armed ships. To illustrate this principle, I shall cite Walpole's treaty which he negotiated with Spain in the hope of closing a period of reprisals which had long existed in the West Indies.

The difficulty between England and Spain arose from the effort of Spain to maintain a commercial monopoly in her American colonies. The English merchants found the Spanish trade lucrative, and they were encouraged by the colonists, to whom they sold goods cheaper than did the Spaniards. The two countries had repeatedly tried to regulate the traffic by treaties in 1667, in 1670, and in 1729, besides a convention in 1713, wherein the King of Spain granted the slave trade of the Spanish-American colonies to an English company.

In the treaty of 1729, in particular, it was stipulated that, hostilities having continued since the signature of the preliminaries of peace four years before, the King of Spain would make reparation. To this end a commission was to be established. All these conventions and treaties, however, proved ineffective. The British obtained a limited permission to trade, but the Spaniards accused them of persistent smuggling. To prevent this smuggling the Spaniards established a species of blockade of the coast. To enforce the blockade they searched English ships at sea, as the English alleged, and, under pretence of search for contraband, committed piracies. Actions between

[1] *American State Papers*, Foreign Relations, II. 313.

the Spanish coastguard and the British merchantmen occurred. Letters of marque and reprisal were issued. Under these conditions, war being imminent, Walpole negotiated the convention of the Pardo, which was signed January 14, 1739, wherein Spain agreed, upon a joint account taken, to pay £95,000 in damages.

Ultimately the reconciliation failed; not because of any scruple on the part of Spain in regard to compensating Englishmen for damages sustained while resisting an unreasonable search for contraband, but because the British Parliament insisted upon the renunciation by Spain of the right to search at all.[1] War, therefore, ensued, which was terminated by a treaty of peace in which Spain's claim to search was conceded.

This precedent illustrates the whole doctrine of the right of search for contraband, of an unreasonable exercise of the right of search causing resistance, of that resistance leading to reprisals, and of those reprisals terminating in a treaty wherein the party searching with violence recognized his tort and agreed to make compensation therefor. Finally the adjustment failed because England, the injured nation, demanded the complete renunciation of the right of a foreign power to visit her ships in order to protect its coast, — a pretension which England failed to sustain by arms. Had the convention been successful, all losses incurred by Englishmen, innocent of smuggling, through the violence of Spain, whether they resisted an unlawfully violent search or not, would have been made good. The point to determine in regard to each ship would have been, not whether she resisted a Spanish cruiser giving just cause for fear, but whether the ship in question was a smuggler.

This controversy between England and Spain is extremely apposite to the present discussion, because, after 1796, France did not pretend to search American ships as a belligerent, visiting neutral vessels under certain well established legal limitations and guarantees, for the purpose of restraining the smuggling of contraband of war from the neutral to an enemy; on the contrary she avowedly captured and confiscated them

[1] The war which led to the fall of Walpole's ministry in 1742 was declared in London on October 19, 1739. It was popularly known as the War of Jenkins's Ear, because Captain Jenkins was alleged to have been mutilated by the Spaniards, in the Gulf of Mexico, who searched his ship under pretence of suspecting him of smuggling.

by way of reprisal for national injuries, precisely as the Spanish searched and captured English ships on the high seas by way of reprisal for systematic breach of her revenue laws. The French complained that, through the violation by America of her treaty obligations, France had sustained great injuries; among others, that she was thereby incapacitated from suppressing the insurrection in Santo Domingo, which cost her the island. No doubt France was damnified by American action. For this France demanded compensation. The American Government declined to make compensation. France thereupon indemnified herself out of American commerce, and from the first insisted that she should either be allowed to keep the spoil she had taken, the United States assuming the payment of the losses which American citizens had sustained; or else that America, receiving compensation, should acknowledge her treaty obligations, and assist France in her war against England. The whole issue between the two nations was put in a paragraph by the French commissioners on September 4, 1800.

> We shall have the right to carry our prizes into the American ports.
>
> A commission shall regulate the indemnities due by each of the two nations to the citizens of the other.
>
> The indemnities which shall be found due by France to the citizens of the United States shall be discharged by the United States; and, as an equivalent, France makes an abandonment of the exclusive privilege resulting from Articles XVII and XXII of the treaty of commerce, and of the rights of guaranty resulting from the eleventh article of the treaty of alliance.[1]

How such a condition of affairs arose will appear upon a recapitulation of the history of the events which led to the negotiation of the Jay treaty. The Jay treaty, as this Court of Claims has held, conflicted with the earlier treaties with France. Hence the French claim to be indemnified for the injuries they suffered from what they alleged to be a breach of national good faith.

From toward the end of the sixteenth century England, France, Spain and Holland became engaged in a furious struggle

[1] *American State Papers*, Foreign Relations, II. 336.

for the control of the great trade route which, having its base in India, centred in Western Europe, and found its terminus in America. As between England and France the prize was the valley of the Mississippi. Before railways, watercourses were the best channels of communication, consequently the rivals fought for the control of the watercourses.

The French very early grasped the geographical problem. In 1608 Champlain founded Quebec, and somewhat later Marquette and La Salle penetrated the depths of the wilderness. By 1750 the forces of Louis XV held the St. Lawrence, the Niagara, the Ottawa, Detroit and the Maumee, Green Bay and Chicago. The French had settled New Orleans in 1718. But whoever holds the line of the Great Lakes, with Oswego, Niagara, Erie, Detroit and Chicago, holds the key to the interior of the United States. From these points an invader commands access to the waters of the Alleghany and the Ohio, the Wabash and the Illinois. Thus the French lay on the flank and rear of the English who occupied the coast, and who were shut off from the West by a range of mountains the outlets of which were held by the enemy.

Following the lines of least resistance, the French, starting from Quebec, passed Niagara and, descending the Alleghany, reached Pittsburg, whence they could command the Ohio. The English, leaving the Chesapeake, ascended the Potomac to Cumberland and, crossing the mountains, descended the nearest river valley to the Ohio. At the point where the two roads converged the hostile columns met, and Washington, at Great Meadows, opened the conflict which ended with Waterloo.

Thus contemplated, the facts of history form a comprehensive unity. The Seven Years' War and the War of the American Revolution together were the cause; the consolidation of the thirteen colonies into a nation the effect. As between France and England fighting in America, victory inclined to him who had the colonies for an ally. In the Seven Years' War the English and the colonists combined, drove the French from Canada. In the War of the American Revolution the colonists, with the aid of the French, expelled the British from the territory which now forms the nucleus of the United States.

The French did not engage in the War of the American Revolution for love of liberty, but to regain what they had

lost in the Seven Years' War. In 1778 Spain, it is true, nominally held Louisiana, it having been ceded by France in 1762, but it was always, in reality, a French possession, and the interests of France and Spain, as against England, were identical. Santo Domingo was also the most valuable asset of the French crown, possibly the most valuable colony in proportion to size which any nation ever owned. By the treaties of 1778 with the United Colonies, France sought to establish a base of operations against Great Britain upon the Western Continent, in the event of future war. By the treaty of alliance, Article XI, the colonists guaranteed to France her possessions in America, while by Article XVII of the treaty of commerce, the United States promised to open her ports to the ships of war of France, with their prizes, and to close them to those who had molested her.

Article XXII of the same treaty practically stipulated that privateers, hostile to either nation, should be deprived of any use of the ports of the other, save so far as to be permitted to buy enough food to carry them to the next port of their own country.

Although in 1783 Great Britain, yielding to exhaustion, acknowledged the independence of the United States, granting such concessions as were necessary to secure peace, there is abundant evidence that she did not act in good faith, and proposed to retain such military positions as would give her victory in another war.

By the treaty of peace of 1783 the boundaries of the United States were fixed, substantially as they are now, along the Canadian frontier, King George contracting to withdraw all his "armies, garrisons and fleets from the United States, and from every port, place and harbor, within the same."

So great was the anxiety to secure a defensible frontier, that a month before the definitive treaty was signed General Washington, in execution of the duty confided to him by Congress, sent General Steuben to arrange with General Haldimand for the occupation of Mackinac, Detroit, Fort Erie, Niagara, Oswego and Point-au-fer and Dutchman's Point, on Lake Champlain.

Haldimand declined to make the surrender,[1] and from that hour Washington never doubted England's malevolent animus.

[1] *American State Papers*, Foreign Relations, I. 225.

On May 10, 1786, he wrote to Lafayette: "The British still occupy our posts to the westward, and will, I am persuaded, continue to do so under one pretence or another, no matter how shallow, as long as they can. Of this . . . I have been convinced since August, 1783. . . . It is indeed evident to me that they had it in contemplation to do this at the time of the treaty." [1]

As time elapsed, Washington's anxiety grew intense. After his election to the Presidency, almost his first diplomatic act, before he had a Secretary of State, was to write, with his own hand, to Gouverneur Morris, who then happened to be in London, directing him to ask, informally, for an explanation of the delays which had taken place in regard to the surrender of the posts and to press for an execution of the treaty. Morris replied that nothing could be done; that the French Ambassador, with whom he had talked confidentially, "told me at once, that they would not give up the posts."

Morris was right, as John Adams had been before him, in the opinion that the British would maintain their advantage, and in 1790 Washington became seriously alarmed at the prospect of war between Spain and Great Britain. On August 27 he sent a confidential communication to John Adams, the Vice-President, expressing his opinion that, in the event of hostilities, the British would make an attack on New Orleans by a combined operation from Detroit.

> The *consequences* of having so formidable and enterprising a people as the British on both our flanks and rear, with their navy in front, . . . as they regard the security of the Union and its commerce with the West Indies, are too obvious to need enumeration.[2]

According to John Marshall, Washington had acquired the conviction that the British proposed to establish "a new boundary line, whereby those Lakes should be entirely comprehended in Upper Canada." [3]

How accurately Washington judged is proved by the demand

[1] *Writings of Washington* (Ford), XI. 28, 29.

[2] *Works of John Adams*, VIII. 497. The same communication was sent to the members of his cabinet and the Chief Justice. All of the replies are printed in Ford, *The United States and Spain in 1790*.

[3] Marshall's *Washington* (1st ed.), V. 569.

of the British at Ghent, as a *sine qua non* that the American boundary should be that of the treaty of Greenville.[1] That is to say, they attempted to shut the United States out from the Lakes, just as Washington had predicted. Even while Washington meditated on a possible Spanish war, the Indian outbreak began which ended in St. Clair's defeat, in November, 1791, the most serious reverse the United States ever sustained in any Indian campaign. This war was instigated by Great Britain.

Subsequently the British even marched a detachment fifty miles south from Detroit, and seized and fortified a position on the Maumee, not far from Toledo, and in the midst of the disturbed district. On April 3, 1791, Washington instructed Jefferson to intimate to the Canadian government that they must cease supplying the Indians with material of war: "The notoriety of this assistance has already been such as renders inquiry into particulars unnecessary."[2] Lord Dorchester explicitly and emphatically denied tampering with the Indians, but twenty-two years afterward the British general, Proctor, was defeated at the battle of the Thames and Proctor's baggage was taken. In 1819 Richard Rush, then minister at London, had occasion to draw Lord Castlereagh's attention to the fact that "the events of the late war which threw the baggage of General Proctor into the hands of the Americans had put the Government of the United States in possession of documents to show that, if not all the Indian wars which President Washington had been compelled to wage, the most formidable of them were instigated and sustained on the side of the Indians by British traders."[3]

Thus Washington held it to be demonstrated that a second contest with Great Britain would only be a matter of time, and that such a contest could, probably, have only one end, were the British left in command of the Lakes and the northwestern posts, which were the key to the interior.

Furthermore, every inference Washington drew was justified by the event. In the War of 1812 the British campaign was that which Washington outlined; an attack from Detroit

[1] *American State Papers*, Foreign Relations, III. 709.
[2] *Writings of Washington* (Ford), XII. 31; *Writings of Jefferson* (Ford), V. 321.
[3] Rush, *Recollections of the English and French Courts*, 344.

and from Niagara, together with an effort to seize the mouth of the Mississippi. That Great Britain failed was due solely to the fact that in 1812 we held the frontier which Washington obtained by the Jay treaty. The Jay treaty enabled us to fight the battles of Chippewa, Lundy's Lane, Fort Erie and the Thames; while Perry's victory on Lake Erie, and Macdonough's at Plattsburg, were made possible because we had access to the Lakes. When Wellington was offered the command in America in 1814, although he would not admit that "all the American armies . . . would beat out of a field of battle the troops that went from Bordeaux last summer," yet Lundy's Lane and Fort Erie made it clear to him that no troops or general would suffice without "a naval superiority on the Lakes." [1]

We may therefore take it as demonstrated that the independence and integrity of the American Union turned upon her obtaining possession of her natural frontier, before she was again attacked by Great Britain. Also, it may be taken as demonstrated that in 1791 Washington knew that Great Britain was contemplating an attack, and only waited a favorable moment to strike a blow which should be mortal.

That such a blow was not struck before 1800, and that Washington succeeded in getting possession of the northwestern posts, was probably due to the breaking out of the war with France in 1793, which placed America in a position of advantage. In that war the English soon perceived that if they were really to harass their adversaries they must cut off from France supplies of food and luxuries from parts beyond the sea. The most important colonial supplies of France came from Santo Domingo. This trade was not open to the United States in time of peace, because in the eighteenth century the European colonial policy was a strict monopoly, but when war began the French resorted to the protection of the American neutral flag. Immediately American ships flocked to the French ports and freighted with French colonial merchandise, or merchandise for French colonies. The British waited until this American shipping acquired high values and then issued their famous Orders in Council of November 6, 1793, ordering the capture of all such vessels. Forthwith, numbers of American ships were

[1] Wellington, *Supplementary Despatches*, I. 426.

seized and carried into English ports, where they were condemned under the "Rule of the War of 1756." [1]

Meanwhile, on April 22, 1793, Washington had made proclamation of neutrality. According to Mr. Jefferson, "On the day of publication we received, through the channel of the newspapers, the first intimation that Mr. Genêt [the French Minister] had arrived on the 8th of the month at Charleston." Mr. Genêt among other things asked for arms to defend the French Windward Islands. These arms, under Article XI of the treaty of alliance of 1778, the United States was bound to give,[2] but Mr. Genêt complained on September 18, 1793, just before the seizure of the American ships, "That the Secretary of War, to whom I communicated the wish of our governments of the Windward Islands, to receive promptly some fire-arms and some cannon, which might put into a state of defence possessions guarantied by the United States, had the front to answer me with an ironical carelessness, that the principles established by the President did not permit him to lend us so much as a pistol." [3]

There remained, however, Sections XVII and XXII of the treaty of commerce, opening the ports of the United States to French ships of war and privateers with their prizes, and excluding from our ports all such as had made prizes of the property of France, or were hostile to France. This, then, was the position in November, 1793: England, lying upon the flank and rear of the United States and inciting the Indians, as Washington well knew, was pressing intolerably with her navy in front; in fact, treating the United States as an ally of France. Therefore, General Washington had to choose whether he would strictly perform our treaty obligations to the French, which would have been tantamount to a war with England; or whether by abandoning France he would obtain the northwestern posts, and a relaxation of the pressure of the English navy.

[1] The instructions issued on November 6, 1793, to British cruisers were as follows: "That they shall stop and detain all ships laden with goods the produce of any colony belonging to France, or carrying provisions or other supplies for the use of any such colony, and shall bring the same, with their cargoes, to legal adjudication in our courts of admiralty." *American State Papers*, Foreign Relations, I. 430. This was, of course, substantial piracy.

[2] Gray *v.* United States, 21 Court of Claims, 360.

[3] *American State Papers*, Foreign Relations, I. 173.

Nor did the situation admit of delay, for, in the autumn of 1793, Great Britain and the United States were in a condition of reprisals. The English seized our ships by force to compensate themselves for our attitude to France, and Washington, in retaliation, proclaimed an embargo. To meet this crisis Washington sent John Jay to London to attempt to negotiate a treaty which should preserve the peace. This Jay did by abandoning the French. In return the British surrendered the posts and paid for the ships they had seized.

The ratification of the Jay treaty was exchanged October 28, 1795. The treaty itself was proclaimed February 29, 1796. It created, when its contents became known, a prodigious fermentation in France. On November 15, 1796, Mr. Adet, the French Minister in the United States, wrote a formal protest to Timothy Pickering, Secretary of State, demanding "the execution of that contract which assured to the United States their existence, and which France regarded as the pledge of the most sacred union between two people, the freest upon earth. . . . What has this negotiation [Jay treaty] produced? A treaty of amity and commerce, which deprives France of all the advantages stipulated in a previous treaty."

Adet went on to protest against the violation of Article XVII of the treaty of commerce of 1778; declared that the Executive Directory considered the Jay treaty as tantamount to a treaty of alliance between the United States and Great Britain; announced that he had received orders to suspend his ministerial functions, though such suspension was not to be regarded as a rupture between France and the United States, "but as a mark of just discontent," to last until the United States should return to measures "conformable to the interests of the alliance." Also, Adet announced "that the Executive Directory had just ordered the vessels of war and privateers of the Republic to treat American vessels in the same manner as they suffer the English to treat them." That was, according to French construction, to seize them.[1]

Thus the French began reprisals, in order to indemnify themselves for the loss they suffered by the non-performance by America of its treaties.

[1] *American State Papers*, Foreign Relations, I. 579–583.

It follows that the difficulties which thereupon ensued between America and France had nothing necessarily to do with the war between England and France. They might, and probably would, have ensued had the same bargain been made at any time between Great Britain and the United States. Sooner or later it was almost inevitable that the French alliance would be bartered by the United States against a defensible frontier.

Looking back upon this history from the distance of a century, we must all perceive that the claim of France was, in substance, well founded. In 1778, for very valuable considerations, the United States assumed obligations toward France which were heavy, it is true, but which were none the less binding. In 1794 self-preservation demanded that those obligations should be repudiated; accordingly they were repudiated, but their repudiation gave France a good claim for compensation.

France pretended a nominal willingness to accept compensation in money. In 1798 Talleyrand strongly urged a loan upon the commission composed of Messrs. Pinckney, Marshall and Gerry. John Marshall replied that a loan, or any "act on the part of the American Government, on which one of the belligerent Powers could raise money for immediate use, would be furnishing aid to that Power, and would be taking part in the war. It would be, in fact, to take the only part which, in the existing state of things, America could take. This was our deliberate opinion; and, in addition to it, we considered our instructions as conclusive on this point." [1]

In fact, the French would inevitably have pushed their demands until they met with armed resistance. For the purposes of this argument, however, the reasons which prevented General Washington from offering satisfaction at the outset are immaterial. It suffices that the French Government had, as this Court of Claims has held, claims against the United States, whose apparent justness the United States herself recognized as early as July, 1797, "in the instructions to the Pinckney mission." [2]

On the French side Talleyrand told Gerry that all the Repub-

[1] *American State Papers*, Foreign Relations, II. 187.
[2] Gray *v.* United States, 21 Court of Claims, 378.

lic of France wished was to be restored to her treaty rights, which "will speedily remove all difficulties."

In truth, the loss to France from the non-execution of these treaties was very sensible. The only hope of France, either to maintain her West Indian possessions or to seriously harass the British mercantile marine, lay in the co-operation of the United States. As the Court of Claims truly observed, "the claims now before us are for spoliations committed by France to feed her people," whom the English were attempting to starve. Worse still, the success of the insurrection in Santo Domingo can be traced directly to aid given the insurgents by America. In making reprisals, therefore, the French armed cruisers to indemnify themselves from American commerce. They did not arm them to stop smuggling in contraband of war.[1]

The problem presented to the American government was extremely difficult. If the United States offered to compensate France in money, England might call her to account for

[1] An enormous mass of evidence exists to prove the truth of my proposition. I content myself, nevertheless, by referring to the report of the Secretary of State on the transactions relating to the United States and France, submitted to Congress on January 21, 1799, from which I extract a single passage. This passage relates to Santo Domingo. After referring to the decree of July 2, 1796, a decree made immediately after the provisions of Jay's treaty became known in France, the Secretary of State continued:

"But without waiting for this decree, the commissioners of the French Government at Saint Domingo began their piracies on the commerce of the United States; and, in February, 1797, wrote to the Minister of Marine (and the extract of the letter appeared in the official journal of the Executive Directory of the 5th of June): 'That, having found no resource in finance, and knowing the unfriendly dispositions of the Americans, and to avoid perishing in distress, they had armed for cruising, and that already eighty-seven cruisers were at sea; and that for three months preceding the administration had subsisted, and individuals been enriched, with the product of those prizes.'

"'That the decree of the 2d of July was not known by them until five months afterwards. But (say they) the shocking conduct of the Americans and the *indirect* knowledge of the *intentions* of our Government, made it our duty to order reprisals, even before we had received the official notice of the decree. They felicitate themselves that American vessels were daily taken, and declare that they had learnt, by divers persons from the continent, that the Americans were perfidious, corrupt, the friends of England, and that, therefore, their vessels no longer entered the French ports, unless carried in by force.'"

This action of the Santo Domingo authorities was confirmed by the Government at Paris. Santhonax, the chief of the commissioners, was continued in office, and, going afterwards to France, was received as a member into one of the legislative councils. *American State Papers*, Foreign Relations, II. 234.

aiding her enemy. If she permitted France to pay herself by depredations, there was no limit to which those depredations might not extend. John Adams measured the situation very accurately, and determined to try persuasion first and force later. On May 31, 1797, he nominated Messrs. Pinckney, Dana and Marshall, as a commission of three envoys to France "to dissipate umbrages, to remove prejudices, to rectify errors and adjust all differences, by a treaty between the two Powers."[1] On the arrival of this Commission at Paris, France began an attempt to extort money from the United States by threats of violence.

Talleyrand was a man admirably adapted to such a purpose, for while he could be arrogant as long as arrogance seemed likely to be profitable, he could be wonderfully supple when he found he had gone too far.

Having been ruined by the Revolution, Talleyrand's first anxiety was to restore his own fortune, his second to obtain a loan for his country. He undertook to charge the Commissioners a fee of £55,000 for his services. Furthermore, he demanded a subscription of £1,333,000 to a Dutch 5 per cent loan. At the same time he conveyed to the Americans an intimation through his agents, "that it was worthy the attention of the envoys to consider, whether by so small a sacrifice they would establish a peace with France, or whether they would risk the consequences; that, if nothing could be done by the envoys, arrangements would be made forthwith to ravage the coasts of the United States by frigates from Santo Domingo; that small States, which had offended France, were suffering for it," and more to the same effect.[2]

The Americans replied:

> That America was the only nation upon earth which felt and had exhibited a real friendship for the Republic of France; that among the empires round her which were compelled to bend beneath her power and to obey her commands, there was not one which had voluntarily acknowledged her Government, or manifested for it, spontaneously, any mark of regard. America alone had stepped forward and given the most unequivocal proofs of a pure and sin-

[1] Dana declined, and Gerry was named in his place and accepted the appointment. Adams said his entire cabinet was against Gerry

[2] *American State Papers*, Foreign Relations, II. 168.

cere friendship, at a time when almost the whole European world . . . were leagued against France; when her situation was, in truth, hazardous . . . America alone stood forward and openly and boldly avowed her enthusiasm in favor of the republic, and her deep and sincere interest in its fate . . . To this distant, unoffending, friendly republic what is the language and the conduct of France? Wherever our property can be found she seizes and takes it from us; unprovoked, she determines to treat us as enemies, and our making no resistance produces no diminution of hostility against us; she abuses and insults our Government, endeavors to weaken it in the estimation of the people, recalls her own minister, refuses to receive ours, and, when extraordinary means are taken to make such explanations as may do away misunderstandings, . . . the envoys who bear these powers are not received; they are not permitted to utter the amicable wishes of their country, but, in the haughty style of a master, they are told that, unless they will pay a sum to which their resources scarcely extend, they may expect the vengeance of France, and, like Venice, be erased from the list of nations; that France will annihilate the only free republic upon earth, and the only nation in the universe which has voluntarily manifested for her a cordial and real friendship. What impression must this make on the mind of America, if without provocation, France was determined to make war upon us, unless we purchased peace? We could not easily believe that even our money would save us; our independence would never cease to give offence, and would always furnish a pretext for fresh demands." [1]

During this address Talleyrand's emissary "manifested the most excessive impatience," interrupting and demanding a categorical answer to his propositions, "yes or no."

This interview occurred on October 30. On November 1 the envoys agreed "that we should hold no more indirect intercourse with the Government." [1]

Repeated applications to be received officially having been ignored, the envoys made up their minds that the situation was desperate, and on December 24, 1797, wrote to the Secretary of State:

We have not yet received any answer to our official letter to the Minister of Foreign Affairs, dated the 11th of last month, . . . but reiterated attempts have been made to engage us in negotiation with persons not officially authorized . . . We are all of opinion

[1] *American State Papers*, Foreign Relations, II. 164.

that, if we were to remain here for six months longer, without we were to stipulate the payment of money, and a great deal of it, in some shape or other, we should not be able to effectuate the objects of our mission, should we be even officially received.[1]

On March 18, 1798, Talleyrand brought matters to a head by summarily dismissing Messrs. Pinckney and Marshall as persons hostile to France, but offering "to treat with that one of the three [Mr. Gerry] whose opinions presumed to be more impartial, promise, . . . more of that reciprocal confidence which is indispensable." [2]

Thereupon nothing remained for Pinckney and Marshall but to return as promptly as possible. Mr. Gerry was induced to remain. Talleyrand took care that one commissioner should stay in Paris, in order that diplomatic relations might not be broken off.

John Adams anticipated some such crisis in the negotiation on the very first intimation from the Commissioners of the difficulties they were likely to encounter.

On March 23, 1798, the Secretary of State, by direction of the President, instructed the envoys not to procrastinate,

> For you will consider that *suspense* is ruinous to the essential interests of your country. . . .
>
> In no event is a treaty to be purchased with money, by loan or otherwise. There can be no safety in a treaty so obtained. A loan to the Republic would violate our neutrality; and a douceur to the men now in power might by their successors be urged as a reason for annulling the treaty, or as a precedent for further and repeated demands.[3]

When the full story of the outrage which Talleyrand had committed on the American plenipotentiaries reached the United States, Gerry was peremptorily recalled, and the President, on June 21, 1798, sent his once famous message to Congress, in which, after congratulating the country on the arrival of John Marshall in a place of safety, he ended thus: "I will never send another minister to France without assurances that he will be received, respected and honored, as the representative of a great, free, powerful and independent nation." [4]

[1] *American State Papers*, Foreign Relations, II. 166.
[2] *Ib.* 191. [3] *Ib.* 200, 201. [4] *Ib.* 199.

An explosion of popular indignation followed. A very strong faction of the Federal party at whose head stood Alexander Hamilton determined upon war. The President, on the contrary, felt inclined to suspect that the French would not risk hostilities if they found in America an adversary ready and willing to fight, and dangerous upon the ocean. Accordingly he addressed all his energies to organizing an effective force upon the sea; a force sufficient to demonstrate to the French that reprisals would no longer pay. In regard to the policy of arming, the President and Congress were agreed.

The two most important acts which were passed at this crisis were, first, that authorizing the President to instruct the commanders of armed ships to capture French vessels which had committed depredations;[1] and second, that authorizing the commander and crew of any merchant vessel to defend itself against search and seizure by ships flying French colors, until the French government should cause its commanders to refrain from lawless depredations. When the French stopped reprisals, the President was to instruct American commanders to submit to regular search.[2]

There was abundant reason for arming merchantmen; in fact, the country had no other resource. The United States, in 1798, had but three frigates which could be prepared for sea, and a few converted merchantmen. If the French were to be resisted, it must be through private effort. And this was the better policy also, as the President did not contemplate war. His instructions only authorized retaliation on armed ships which should have committed spoliations, in order to make spoliation hazardous and costly. They did not authorize aggression. It was as though the government had called for volunteers to garrison the frontier to repel attack.

The President issued several instructions to commanders to resist the French search; the earliest are of May 28, 1798. The effect was immediate, and, beyond all expectation, good. On January 17, 1799, the Committee of the House of Representatives, to whom was referred so much of the President's speech as related to the navy, reported:

[1] Statutes at Large, I. 561. [2] *Ib.* 572.

That about the time of the sailing of our ships of war, and before the merchant ships were permitted to arm for their defence, our trade was in such jeopardy, at sea and on the coast, from French privateers, that but few vessels escaped them; that ruin stared in the face all concerned in shipping; and that it was difficult to get property insured; that insurance stood at the following rates in Philadelphia, at that time:

	Out %	Home %
Russia	22½	22½
Sweden	20	12½
Denmark	17½	17½
Holland	20	17½
Great Britain . . .	17½	17½
Spain	17½	17½
Italy	27½	27½
China and India . .	20	15
West Indies	17½	17½

That at this time insurance can be had at the following rates, in the same offices:

	Out %	Home %
Russia	12½	12½
Sweden	12½	12½
Denmark	10	10
Holland	15	12½
Great Britain . . .	10	10
Spain	12½	12½
Italy	17½	10
China and India . .	10	10
West Indies	12½	12½

The committee beg leave to state, as their opinion, that the measures taken for the protection of the commerce of the United States, and subsequent thereto, have saved to the United States considerably more than all the expenses incurred by the naval establishment.[1]

The principle involved in this measure is clear, and was expounded in a circular issued by the Treasury Department, on April 8, 1797, just a year before arming against the French was authorized by Congress.

[1] *American State Papers*, Naval Affairs, I. 69.

"The question is, Whether it be lawful to arm the merchant vessels of the United States for their protection and defence, while engaged in regular commerce."

It is answered: "That no doubt is entertained, that defence, by means of military force, against mere pirates and sea rovers, is lawful." The arming of vessels bound to the East Indies "is therefore, on account of the danger from pirates, to be permitted; . . . but as the arming of vessels destined for European or West Indian commerce raises a presumption that it is done with hostile intentions against some one of the belligerent nations . . . it is directed that the sailing of armed vessels, not *bona fide* destined to the East Indies, be restrained, until otherwise ordered by Congress." [1]

These instructions expose the whole controversy with France in a nutshell. So long as France could by possibility be considered as exercising in good faith a belligerent right of search, resistance, though permissible, was not formally authorized. When France openly declared that she was indemnifying herself by reprisals for a supposed breach of treaty obligations, resistance to search became not only permissible under international law, as it had been since 1796, but a duty expected by the State from her citizens. And, of course, losses sustained either in making or resisting reprisals gave a claim for damages on the part of both nations and individuals. In February, 1800, Captain Truxtun, in the *Constellation*, defeated *La Vengeance*, a French frigate of fifty guns, off Guadeloupe, and the French subsequently, when it came to making up an account, were careful to include their right to compensation for the loss of national ships.

John Adams, however, had been right in his forecast: the French did not contemplate war with the United States. They wanted money, they were far from wishing to waste money on a new and unnecessary enemy. There was no single day in the year 1798 when Talleyrand allowed diplomatic relations with the United States to lapse absolutely. When Gerry departed, against his remonstrances, Talleyrand immediately opened communications with Mr. Vans Murray, the American Minister at The Hague.

On June 21, 1798, the President made his pledge never to

[1] *American State Papers*, Foreign Relations, II. 78.

send another minister to France until he should be assured that his envoy would be respected. On July 20, 1798, Elbridge Gerry, who had tarried in Paris after his colleagues, wrote to take leave. On July 22 Talleyrand replied. The news of the President's message had just arrived. Talleyrand then urged, in a very conciliatory spirit, that

> a negotiation may therefore be resumed even at Paris, where I flatter myself you have observed nothing but testimonies of esteem, and where every envoy who shall unite your advantages cannot fail to be well received . . . By information which it [the French Government] has just received, it indeed learns that violences have been committed upon the commerce and citizens of the United States in the West Indies and on their coasts. Do it the justice to believe that it only needs to know the facts, to disavow all acts contrary to the laws of the Republic and its own decrees. A remedy is preparing for it, and orders will soon arrive in the West Indies calculated to cause everything to return within its just limits, until an amicable arrangement between France and the United States shall re-establish them respectively in the enjoyment of their treaties. This period, sir, cannot be too near at hand.[1]

But Talleyrand's exertions to remedy the error he had committed by dismissing the Commission did not end here. In an instant he reversed his whole attitude. On the eve of Gerry's departure Gerry received a visit from the Dutch Minister, who, at Talleyrand's instigation, proposed mediation. Gerry, declining to enter on the subject, left for Havre. While there, on August 8, 1798, he received a note from Talleyrand enclosing an extract from the "Deliberations of the Executive Directory," in which they acknowledged their liability for piracy conducted under the French flag, and published decrees restraining it in future. On August 16, 1798, the Directory, wishing to show "the pacific disposition of the French Republic," raised the embargo upon American vessels which had been imposed a month before on news of American reprisals.

Meanwhile, Talleyrand established communication with William Vans Murray, American Minister at The Hague, and as early as August 28, only two weeks after Gerry sailed, he had arranged a basis on which to reopen negotiations. He instructed

[1] *American State Papers*, Foreign Relations, II. 222.

Pichon, his Secretary of Legation at The Hague, to assure Murray that France "never thought of making war against them [the United States], nor exciting civil commotions among them; and every contrary supposition is an insult to common sense." [1]

Just one month later, and as soon as he thought his overture might succeed, he conveyed the assurance, demanded by the President, "that whatever plenipotentiary the Government of the United States might send to France, in order to terminate the existing differences between the two countries, he would be undoubtedly received with the respect due to the representative of a free, independent and powerful nation." [2]

On receiving this invitation to renew relations the President sent to the Senate on February 18, 1799, his celebrated message nominating Murray as Minister Plenipotentiary to France. A week later he added the names Chief Justice Ellsworth and Patrick Henry,[3] making a commission of three, the two latter not to embark until they received satisfactory assurances that they would be becomingly treated. I need not relate the anger of the extreme Federalists at the prospect of reconciliation. Mr. Adams's cabinet opposed him and attempted to prevent the embarcation of the mission. Hamilton's attack upon Adams in the election of 1800,[4] caused by the second mission to France, split the Federal party and brought in Jefferson, but the President prevailed. The Commission reached Paris; there they negotiated the convention of September 30, 1800, a convention which was confirmed by a Republican Senate, and it is pretty safe to assert, as I have before observed, that probably the United States has never gained more relatively to cost than by these two state papers: the treaty of 1794, and the convention of 1800.

It now remains to determine precisely what the convention of 1800 meant, so far as it related to compensation for losses. The whole basis of the negotiation and settlement is stated with perfect precision in the French Commissioners' note of August 11, 1800.

[1] *American State Papers*, Foreign Relations, II. 241.

[2] *Ib.* 242.

[3] Henry declined and Davie was named in his place.

[4] *The Public Conduct and Character of John Adams.* It will be found in *Works of Hamilton* (Lodge), VI. 391.

The first proposition, then, of the ministers of France is, to stipulate a full and entire recognition of the treaties, and a reciprocal promise of indemnities for the damages resulting, on the part of either, from their infraction. . . .

The second proposition of the ministers of France, in case the former shall not be accepted, will then be the abrogation of ancient treaties; the formation of a new treaty, in which the French nation, abandoning a privilege inconvenient to the United States, shall be placed, in her political and commercial relations, on an equal footing with the most favored nations; and an entire silence on the subject of indemnities.

Thus, the proposition which the ministers of France have the honor to communicate to the Ministers Plenipotentiary of the United States is reduced to this simple alternative:

Either the ancient treaties, carrying with them the privileges resulting from anteriority, together with stipulations for reciprocal indemnity; or a new treaty, promising equality, unattended with indemnities.[1]

The United States chose the latter alternative. It bought release from the treaties of 1778 for the price of the value of the reprisals which had been made by France on American commerce during four years. These reprisals were, as the Court of Claims has decided, a forced loan, and for that forced loan the Government of the United States is admittedly responsible, though it has repudiated the interest account and denied compensation to its creditors for more than one hundred years.

Also it is demonstrable that if the United States was able to check the reprisals of France, to put a summary end to her threats of vengeance should the United States decline to pay ransom, and to reduce the clamors of her officials for bribes to dead silence, all in a few weeks, it was because the Union showed itself capable of putting a stronger force at sea than France was able to collect upon its coast. And that America succeeded in this effort was due to such men as those who fought the schooner *Endeavor*, not in actions waged by smugglers to repel a lawful search for contraband, but in actions waged to defend their country against the piratical acts of a powerful but mercenary friend. The exactitude of this asser-

[1] *American State Papers*, Foreign Relations, II. 331, 332.

tion will appear upon an examination of the relative power of the regular and volunteer navy. The United States had, in January, 1799, but three frigates, a ship and two brigs, built by the public, and eight converted merchantmen. In all fourteen ships of a total capacity of 8,642 tons, carrying 352 guns.[1] Whereas, on March 2, 1799, the President informed Congress that 365 private armed vessels had been commissioned, with a capacity of 66,691 tons, armed with 2,723 guns, and manned by 6,847 men.[2] There were but 3,120 men in the government service, and of these 1,140 served on the three frigates, which had a very limited sphere of action.

The history of the negotiations which led up to the convention of 1800, and the legal effect of that convention when negotiated, have been ably stated in the opinion in Gray *v.* United States. One portion of these negotiations was not adverted to in that opinion, and that is the portion which discloses the intent of the parties to the treaty in regard to the character of the claims for compensation, which it was the purpose of the convention to liquidate.

When examined thus historically, however, the sequence of cause and effect is clear.

We are always led back to the starting point. Prior to 1795 the French had searched American ships for contraband of war, and occasionally had abused the right of search. Subsequently to 1795 they no longer searched American ships for contraband of war; they seized them whether they contained contraband or not.

Before 1794 a conciliatory diplomatic spirit prevailed. From the outbreak of the war between France and England, both belligerents had transgressed neutral rights, and transgressed them, avowedly, as a military necessity. For these transgressions both France and England admitted liability, and England paid her bill after Jay's treaty was proclaimed. In like manner France admitted her torts. "At this point, therefore, we have on both sides an admission of the validity of claims arising from the spoliations — the President, in the proclamation and circular letter, the French in their decrees, as well as in a letter to the Secretary of State (March 27, 1794), in which the

[1] *American State Papers*, Naval Affairs, I. 58.
[2] *Ib.* 71.

French Minister wrote that, 'If any of your merchants have suffered any injury by the conduct of our privateers . . . they may with confidence address themselves to the French Government.'" [1]

As late as February, 1795, Washington told Congress that

"these claims are in a train of being discussed with candor, and amicably adjusted." . . . The Jay treaty entirely changed the situation; France violently remonstrated, treated Monroe with insult, refused to receive Pinckney, threw off the last restraints upon its cruisers and privateers, and its colonial agents joined with so much vigor in the illegal attack upon a peaceful and neutral commerce, that "American vessels no longer entered the French ports unless carried in by force." [1]

At this moment the period of reprisals opened; and damages from reprisals are governed by their own law, a law almost the reverse of that relating to the belligerent right of search.

When the convention of 1800 was signed, the peaceful animus related back to the year 1794, and it became the duty of the United States to ascertain the losses which her citizens had incurred through French reprisals. These losses, which she had confiscated to obtain a settlement, her duty was to pay, precisely as France would have paid them had America elected to maintain the treaties of 1778. It is self-evident also that these losses should have been determined in 1800 according to the code touching reprisals, and not according to another and irrelevant code. The same principle applies now.

Therefore, to determine them, we should begin by eliminating the war between France and England, and consider the reprisals made by France as though they had been caused by a difference between the United States and Great Britain which had led to the abrogation of the treaties of 1778, France and England remaining throughout the difference at peace.

In fact, Washington contemplated such a possibility in 1790, when he explained to John Adams the untenable military position in which the United States would be placed in case the British should advance from the western posts, at the same time pressing on the coast with their navy. Very possibly such a contingency would have occurred in connection with the

[1] Gray *v.* United States, 21 Court of Claims, 376.

Indian wars, which the British so continually fomented, even before 1800 as it actually occurred in 1813, had not the French Revolution supervened.

Supposing some offensive movement by the British about 1795, in all probability Washington would have been driven to ransom the posts by the sacrifice of the French alliance, much as he did by accepting the Jay treaty. Then the French would have made reprisals and one of two effects would have followed. First, war might have ensued. If so, all private claims would have been merged in the national fortunes. As the French Commissioners pointed out in 1800, the two governments would then have no longer been occupied "with their respective losses; the rights of war acknowledge no obligation to repair its ravages; their consideration even is prohibited by national honor, since the State inflicting the greatest injury would, by making compensation, acknowledge a victor and purchase peace." [1]

But if reprisals had been ended by a treaty like that of 1800, then peace, as Lord Stowell decided in The Boedes Lust (5 C. Robinson, 246), would have related back. The seizure "was at first equivocal; and if the matter in dispute had terminated in reconciliation, the seizure would have been converted into a mere civil embargo, so terminated. That would have been the retroactive effect of that course of circumstances."

This was precisely what occurred between the United States and France; and Lord Stowell has thus, in The Boedes Lust, given his opinion of what should be the legal relations of these two nations who averted a war by a convention terminating reprisals in reconciliation.

The substance of an appeal to war is that the stronger shall keep what he has taken; the substance of a reconciliation terminating reprisals is that each party shall be restored, as nearly as possible, to the condition before reprisals began. Such was the agreement between Spain and England in 1739, made to terminate a period of reprisals of long duration. This was their contract:

Article III. After having duly considered the demands and pretensions of the two Crowns, and of their respective subjects, for

[1] *American State Papers*, Foreign Relations, II. 332.

reparation of the damages sustained on each side, and all circumstances which relate to this important affair; it is agreed, that his Catholic Majesty shall cause to be paid to his Britannic Majesty the sum of ninety-five thousand pounds sterling for a balance, which has been admitted as due to the Crown and subjects of Great Britain, after deduction made of the demands of the Crown and subjects of Spain.[1]

In such a settlement of mutual damages one of the most important items is the national loss. I wish to point out the care taken to provide for this item in the treaty of 1739; the balance was for claims due to the *Crown*, etc., of Great Britain, after deduction made of the demands of the *Crown*, etc., of Spain. On this occasion the chief losses of the respective crowns must have been losses incurred in action; that is to say, losses of men-of-war, or of captured treasure ships.

Similarly, in 1800, when the Commissioners were seeking a basis for striking a balance, both sides were particular to provide for compensation for national ships lost in action.

The Americans based their contention upon two propositions, found again and again throughout their correspondence; the argument was that the French had been the aggressors and therefore should pay all damages.

First: That "it was not till after the treaty of amity and commerce, of February, 1778, had been violated to a great extent on the part of the French Republic, nor till after explanations and an amicable adjustment, sought by the United States, had been refused, that they did, on the 7th day of July, 1798, by a solemn act, declare that they were freed and exonerated from the treaties and consular convention which had been entered into between them and France."

Justified by the lawless acts of France, "that declaration cannot be recalled; and the United States must abide by its effects, . . . whatever inconveniences may result to themselves."

The second followed as a corollary of the first: "To abandon indemnities would be illy to select the means of restoring France to the confidence of a nation, too long accustomed to revere and practise justice, ever to forget its demands. Nor

[1] Jenkinson, *A Collection of all the Treaties of Peace, Alliance, etc., between Great Britain and Other Powers*, II. 341.

could America ever conceive that, protecting from depredations her property which remains, had impaired a claim for that of which she has been despoiled." [1]

On reaching Paris, the first step of the American Commission was to present the draft of a treaty embodying this theory of the law.

The second article thereof provided for the formation of a board of five commissioners "for the purpose of ascertaining the amount of . . . losses and damage sustained either by citizens of the United States or of the French Republic." [2]

This amounted to asking the French to accept the abrogation of the treaties and pay for their reprisals beside. To such a proposition France would not assent. It was true that the French had destroyed some twenty million dollars' worth of American property, but the profit to France had been by no means commensurate with the damage to America. No process of collecting a debt is so wasteful as piracy, not even legitimate war. Nor was this all; the amount of the reprisals, though considerable, was small in comparison with the loss occasioned by the insurrection in Santo Domingo, and the French attributed the tenacity of the rebellion there altogether to the aid the rebels received from the United States. Therefore the French would give no ear to the first suggestion of the American envoys. Thereupon the Americans made a somewhat better bid. They offered a partial recognition of the old treaties, with an option of buying relief from them for $1,000,000. At the same time they took care to stipulate very closely for the amount of other indemnity for which the United States might be held liable:

"5. There shall be a reciprocal stipulation for indemnities, and these indemnities shall be limited to the claims of individuals, and adjusted agreeably to the principles and manner proposed by the American Ministers in their project of a treaty heretofore delivered, except where it shall be otherwise agreed. Public ships taken on either side shall be restored or paid for." [3]

The above clause substantially fixed the limit of what America might be called upon to pay at $1,000,000, together with

[1] *American State Papers*, Foreign Relations, II. 320, 333.
[2] *Ib.* 316. [3] *Ib.* 334.

the value of the ships which she had damaged in action. The individual citizens of France had suffered little or no loss. France in her corporate capacity had suffered severe losses. These last were assessed at $1,000,000 over and above her disabled frigates and privateers. These vessels the United States offered to make good.

It is not surprising that the French declined to entertain this second proposition as well as the first, and steadily adhered to their original alternative.

The United States might elect to stand by her treaties; then France would pay the United States for the property she had taken to compensate herself for their breach; or,

The United States might elect to abrogate the treaties; if so, the French estimated their indemnity as the sum total of their captures, and refused to abate a dollar of that amount.

They insisted, "1. That a stipulation of indemnities carries with it a full and entire recognition of the treaties; and

"2. That the abandonment of the advantages and privileges stipulated by the treaties, in consideration of the reciprocal abandonment of indemnities, will be the most useful and honorable arrangement for both nations."

But if there were to be indemnities, "the vessels [meaning privateers, for France had lost no other save national ships] and national ships, respectively taken, shall be restored or paid for." [1]

Nothing can be clearer on these facts than the position of the parties. They had been engaged in a dispute over the breach of a treaty and in that dispute damage had been inflicted on both sides. The very essence of the damage which was to be repaired was attack and defence at sea. That was not only admitted but insisted upon by each alike. The enforcement or the abuse of the belligerent right of search had nothing to do with the question at issue, save collaterally as a possible defence which might be set up by France. It was open to France to prove by independent evidence that certain of the vessels which she seized by way of indemnity for breach of international obligations, were rightfully her prize because they contained contraband of war destined for her enemy.

If, however, France proposed to set up the defence that a certain captured ship had been guilty of carrying contraband

[1] *American State Papers*, Foreign Relations, II. 338.

of war, she would have been precluded from introducing as evidence to prove her contention, that the ship in question had admitted her guilt by declining to be searched, because such evidence would have been irrelevant to the issue.

During reprisals the ships of neither party can allow themselves to be boarded by the other, because if they do allow themselves to be taken they will be condemned, and their innocence of smuggling will be no protection. Therefore, during reprisals, all ships which can must, in self-defence, resist. No alternative is open. On the other hand, after reconciliation has taken place and mutual indemnities are provided for, it is, of course, open to one of the parties to the reprisals, who happens also to be a belligerent, to prove by any competent evidence he may possess that a certain captured ship was found, as a substantive fact, to be laden with contraband of war. In such a case, however, the burden of proving a guilty cargo must rest upon him who sets up as defence the capture of contraband of war, in answer to a claim for compensation for a seizure during reprisals of a merchantman presumably innocent. Here there is no attempt made to introduce such evidence of guilt, or indeed evidence of anything save of resistance to an armed ship flying both the French and the piratical flags. In this case, on the contrary, I apprehend that, reprisals apart and under Lord Stowell's own decisions, the schooner *Endeavor* had a lawful right to resist being boarded, and that such resistance raised no presumption against her of being engaged in illicit trade.

The soundness of this proposition becomes manifest the moment the theory of the belligerent right of search is analyzed.

A belligerent arrests and searches a neutral ship for contraband of war in order to discover whether she is smuggling for the enemy in contempt of municipal and international law. A ship carrying contraband is a smuggler, and, therefore, being engaged in illicit trade, is beyond the protection of her own government, like to, but in a less degree than, a slaver or a pirate. But a ship not carrying contraband is innocent, and it is therefore no hardship, or but a slight hardship, for the crew to permit an examination of her cargo; the theory being that, should she be wrongfully detained, she shall be compensated either by the government detaining her, should the captor be a national ship, or by the owners of the privateer, should she be

taken under letter of marque. For this purpose the owners of privateers file a bond. But before a ship can be condemned for carrying contraband there must be evidence that she has contraband on board. This evidence may be of various kinds. One kind is a confession of guilt made by resistance to process; that is, by resistance to search. I need hardly point out that no such presumption can arise unless conditions be such as to create a prior presumption that the search, or the service of process, is legitimate, and made in good faith. If the presumption is that the search is made with a felonious animus, resistance cannot be considered an admission of guilt.

Nothing can be more incorrect than to assume that, as between nations at peace, the right of search for contraband is an arbitrary power to be exercised at the will of a belligerent. On the contrary, according to Lord Stowell, it is a right resembling the execution of civil process, and its lawful enforcement is as rigorously limited. Not to be prolix, I shall confine myself to a single authority, Lord Stowell's decision in the *Maria* (1 C. Robinson, 340); his leading discussion of the lawfulness of resistance.

In that case Lord Stowell laid down four propositions:

1st. That the right of search by a belligerent for contraband of war resembles civil process, and may be executed only by lawfully commissioned cruisers, without violence.

2d. That, where no violence is threatened, but the utmost inconvenience which the party searched can undergo is a detention which is made good, if done vexatiously or without just cause, resistance is unlawful and raises a conclusive presumption of guilt.

3d. That where violence is threatened by a cruiser abusing his commission, resistance is justifiable, precisely as resistance is justifiable to a constable abusing his commission.

4th. That the belligerent must provide competent and impartial courts to redress any wrong done the neutral who has been arrested. The following extracts from the opinion in the *Maria* cover these propositions of law:

> 1st. The right of visiting and searching merchant ships upon the high seas, . . . is an incontestible right of the *lawfully commissioned* cruisers of a belligerent nation. Page 359.
>
> The right must unquestionably be exercised with as little of per-

sonal harshness and of vexation in the mode as possible; but soften it as much as you can, it is still a right of force, — though of lawful force, — something in the nature of civil process, where force is employed, but a lawful force, which cannot lawfully be resisted. . . .

The only case where it can be so in matters of this nature, is in a state of war and conflict between two countries, where one party has a perfect right to attack by force, and the other has an equally perfect right to repel by force. Page 360. [There "conflict" is evidently equivalent to "reprisals." The phrase might as well have read "war and reprisals."]

2d. I don't say that cases may not occur in which a ship may not be authorized by the natural rights of self-preservation to defend itself against extreme violence threatened by a cruiser grossly abusing his commission, but where the utmost injury threatened is the being carried in for inquiry into the nearest port, subject to a full responsibility in costs and damages if this is done vexatiously and without just cause; a merchant vessel has not a right to say for itself (and an armed vessel has not a right to say for it), "I will submit to no such inquiry, but I will take the law into my own hands by force." Page 373.

3d. That the penalty for the violent contravention of this right is the confiscation of the property so withheld from visitation and search . . . . because a contumacious refusal to submit to a fair inquiry infers all the penalties of convicted guilt. Page 363.

4th. I take the rule of law to be, that the vessel shall submit to the inquiry proposed, looking with confidence to those tribunals whose noblest office (and, I hope, not the least acceptable to them) is to relieve, by compensation, inconveniences of this kind, where they have happened through accident or error; and to redress, by compensation and punishment, injuries that have been committed by design. Page 374.

In the light of these conclusions, I set forth the following official avowals made by the French, of their attitude during the years from 1796 to 1800, toward the United States.

On July 22, 1798, on the eve of Mr. Gerry's departure from Paris, Talleyrand wrote him that the Directory "indeed learns that violences have been committed upon the commerce and citizens of the United States in the West Indies, and on their coasts." [1]

Of course the facts had been notorious and encouraged by the French Government for several years, but to avert a rup-

[1] *American State Papers*, Foreign Relations, II. 222.

ture the Directory made the following formal confession of permissive piracy and a collusive judiciary. This admission it sent to Mr. Gerry, to be communicated to the President, upon his arrival in the United States, as an inducement to the President to send out a new commission.

PARIS, THE 13TH THERMIDOR,
6TH YEAR OF THE FRENCH REPUBLIC
[July 31, 1798].

The Executive Directory having heard the report of the Minister of Marine and the Colonies;

Considering that information recently received from the French colonies and the continent of America leave no room to doubt that French cruisers, or such as call themselves French, have infringed the laws of the Republic relative to cruising and prizes;

Considering that foreigners and pirates have abused the latitude allowed at Cayenne, and in the West Indian Islands, to vessels fitted out for cruising, or for war and commerce, in order to cover with the French flag their extortions, and the violation of the respect due to the law of nations, and to the persons and property of allies and neutrals; DECREES:

ART. I. Hereafter, no letters of marque, authorizations, or permissions, to fit out vessels either for cruising, or for war and commerce, shall be issued in the colonies of America, but by the special agents of the Directory themselves, who shall not delegate that power to anyone; they shall exercise it only in favor of owners of vessels whose principles and responsibility are well known to them; and they shall be bound to conform themselves to all the laws relating to cruising and prizes, and especially to those of the 1st of October, 1793 (O. S.).

ART. II. All letters of marque, authorizations, or permissions, granted in the colonies of America by the particular agents of the Executive Directory, and all other agents, civil and military, under their orders, to fit out vessels either for cruising, or for war and commerce, shall be considered as not having been done, after the thirtieth day from the publication of the present decree in the said colonies.

ART. III. All agents and other deputies in the neutral possessions, appointed to decide there upon the validity of prizes taken by the French cruisers, and who shall be suspected of having a direct or indirect interest in the vessels fitted out for cruising, or for war and commerce, shall be immediately recalled.

ART. IV. The special agents of the Executive Directory at Cay-

enne, St. Domingo, and Guadeloupe, shall studiously take care that the interests and property of vessels belonging to neutrals or allies be scrupulously respected; and they shall in no case bargain for their cargoes, but by mutual consent, and to the full and entire satisfaction of the contracting parties.

ART. V. The said special agents of the Executive Directory, the commanders of all vessels of the Republic, the consuls, vice consuls, and all others invested with powers for that purpose, shall cause to be arrested and punished, conformably to the laws, all those who shall contravene the provisions of the present decree, which shall be printed in the bulletin of the laws, and with the execution of which the Ministers of foreign relations, and of the marine and the colonies, are charged.[1]

I give, to show the meaning of this decree, historical evidence of the conditions which prevailed in Guadeloupe, as an example of what prevailed in the West Indies. One Victor Hugues, the son of a baker of Marseilles, born in 1762, ran away to sea and finally established himself at Port-au-Prince, in Santo Domingo. There he prospered, but ultimately lost his property in the servile insurrection, in which his brother also lost his life. Escaping to France in 1792, Hugues became public accuser at Rochefort and distinguished himself by the massacre of the officers and crew of the *Apollo*, an act so bloodthirsty as to raise him to eminence even under the shadow of Robespierre.

As a reward, the Revolutionary Government, in February, 1794, sent Hugues to Guadeloupe as Commissioner, with unlimited powers and a new guillotine. Hugues went to the West Indies to retrieve his fortune and he succeeded. In twenty-one months he had become rich, chiefly through confiscations, murder and piracy. As the historian of Guadeloupe has observed, under Hugues "The morality of the government and the people was contained in one word, 'pillage.'"[2] Probably his chief source of revenue was from the pirates, which he pretended to commission. In almost all the buccaneers which swarmed in the harbors of Guadeloupe Hugues was an owner. Lacour has given a long list of his privateers, some of which were of great value. In one so-called armed merchantman, car-

[1] *American State Papers*, Foreign Relations, II. 222, 223.
[2] Lacour, *Histoire de la Guadeloupe*, II. 394.

rying twelve guns and fifty men, estimated to be worth 257,754 francs, his share was 87,754 francs, while he bought out his partner in the *Dorade* for 80,000 francs.

"In order that the profits from his investments in the privateers should be large and sure, nothing could be left to chance. On the contrary, every captured ship, rightly or wrongly, had to be condemned." [1]

The prize court once undertook to go into evidence concerning the ownership of an American brig which had been brought in by one of his cruisers, the *Ameline*. Thereupon Hugues wrote to the judges, threatening to bring them before what he called a "competent tribunal," to have them punished, and to cause judgment to be pronounced himself.

After this, another ship being released, he wrote, on November 10, 1797: "We have just named new judges to replace you. Therefore from this day forward you will abstain from taking cognizance of any cause whatever." [2]

Besides his ventures in piracy, Hugues speculated in the cargoes of his captures and in exacting ransoms from his captives, whom he cast into his dungeons, where their fate may be conceived. As cruel as he was corrupt, Hugues' government was "the negation of all that constitutes a civilized society. . . . No laws, no tribunals, no justice, everywhere arbitrariness, . . . extortion, piracy, pillage; such was the government of Guadeloupe." [3]

No code of law ever required that the seamen of an independent nation should surrender their ships without resistance at the summons of bloodthirsty ruffians like Victor Hugues and such as he.

It was precisely because of this notorious collusion of the French authorities and courts with the so-called privateers, or, to speak plainly, pirates, that the Ellsworth commission, in the second article of the project for a convention submitted at Paris on April 17, 1800, proposed that the Commissioners who should be authorized under the convention to adjust the claims of both parties, should "not, in examining claims under this article, be concluded either as to law or facts, by any judicial decision, sentence or decree, which has been had or rendered

[1] Lacour, *Histoire de la Guadeloupe*, II. 418.
[2] *Ib.* 422. [3] *Ib.* 474, 475.

therein. And they shall decide the claims in question according to the original merits of the several causes." [1]

This proposition was reiterated in the second project, submitted August 20, 1800.

> 5. There shall be a reciprocal stipulation for indemnities, and these indemnities shall be . . . adjusted agreeably to the principles and manner proposed by the American Ministers in their project of a treaty heretofore delivered, except where it shall be otherwise agreed. Public ships taken on either side shall be restored or paid for.[2]

The last article was accepted by the French, substantially without modification, in their counter proposition of September 13, 1800, in which they acceded to mutual indemnities, provided the old treaties should be maintained inviolate.

> The ministers of France understand [commenting on the fifth proposition of the American Ministers, of August 20], —
>
> 1. Indemnities shall be provided for captures made from individuals, and which shall have been condemned at the time of signing the treaty.

Therefore the French plenipotentiaries admitted that the decrees of their prize courts were not, in the eye of the law, even *prima facie* evidence of a condemnation binding on a neutral.

Thus the French, by solemn official declarations, prove that between 1796 and 1800, they offered Americans no single one of those guarantees for their personal safety, or for the protection of their property, which Lord Stowell held that belligerents must offer to neutrals before they can exact from them unresisting submission to the search for contraband of war.

I take up Lord Stowell's conditions *seriatim*.

The search must be conducted by lawfully-commissioned cruisers. The French revoked all their commissions in the West Indies because they were unlawful. At the head of the agents who granted these commissions stood Hugues.

The belligerent must provide tribunals to relieve by compensation, inconveniences arising from accident or error, and to redress, by compensation and punishment, injuries committed by design.

[1] *American State Papers*, Foreign Relations, II. 317. [2] *Ib.* 334.

The French disgraced their judiciary because substantially the whole body were proved to be in collusion with pirates, like those appointed by Hugues.

The right must not be exercised with harshness.

The French admitted that the ships which pretended to the right to search American merchantmen were pirates and foreigners, who used their flag to cover their "extortions."

Lord Stowell held that the "rights of self-preservation" justified self-defence against "extreme violence."

The French Minister of Foreign Affairs avowed that "violences have been committed upon the commerce and citizens of the United States in the West Indies, and on their coasts."

Nor can I forbear to give, on the authority of the Secretary of State of the United States then in office, Timothy Pickering, an exact definition of what those "violences" were, which, I insist, justified, under any code of law, either international or municipal, which ever existed, the exercise of what Lord Stowell called "the natural right of self-preservation."

Those "cruel depredations on American commerce, which have brought distress on multitudes, and ruin on many of our citizens; and occasioned a total loss of property to the United States of probably more than twenty millions of dollars, besides subjecting our fellow citizens to insults, stripes, wounds, torture and imprisonment." [1]

Lord Stowell's analogy between the enforcement of the right of search and the execution of civil process is entirely sound. Both are functions of sovereignty, resting on force, but which may be resisted by the subject, if unlawfully exercised. Lord Stowell was an excellent lawyer, and unlikely to err in a technical matter.

In an international question, such as this, the rights of the parties should not be judged by municipal law. In this litigation the Roman law should be our guide, and, under the Roman law, I submit, there could be no question. The Roman citizen might always resist an officer who transcended or abused his authority.

But waiving the Roman law, under our own municipal law, all admit that the citizen may always resist the process of a court without jurisdiction, or wrongfully asserting its authority.

[1] *American State Papers*, Foreign Relations, II. 232.

First: The citizen may resist the process of a court without jurisdiction.

The citizen may even resist the entry of an officer bearing the warrant of a court having jurisdiction, if the officer enter premises wrongfully, even though the officer may enter under the belief that he is entering rightfully. If he had not lawful authority to do the act he undertook to do, he may be expelled by force.[1]

Second: Furthermore, the law accords to every man the right of self-defence when attacked and in danger of injury. Therefore, if an officer proceed in a threatening and violent manner calculated to put the person proceeded against in fear, that person may lawfully resist.

As the courts have held: "Whether the arrest be legal or not, the power to arrest may be exercised in such a wanton and menacing manner as to threaten the accused with loss of life or some bodily harm. In such a case, though the attempted arrest was lawful, the killing would be justifiable." [2]

The Court of Appeals of Kentucky has thus laid down the principle; he is justified in resisting arrest who

> has reasonable grounds to believe and does believe, that the officer is not acting in good faith in the attempt to arrest, but is using his official position to gratify personal feeling against the person sought to be arrested, and that by submitting to arrest and to being disarmed, he will by reason of this fact, be in danger of great bodily harm or of losing his life.[3]

Had the Kentucky judiciary had in mind the situation of American merchantmen relative to French cruisers, during the period between 1796 and 1800, they could have written no words more apposite than these.

In fine, the officer acting without due authority or abusing his authority so as to create reasonable fear of loss or injury may be resisted.

In the words of Gray, J., in West *v.* Cabell, 153 U. S. 86:

> An officer who acts under a void precept, and a person doing the same act who is not an officer, stand on the same footing; and any

[1] Commonwealth *v.* Newton, 123 Mass. 420.
[2] Jones *v.* Texas, 26 Texas, App. 12; State *v.* Mundy, 2 Marvel (Del.), 433.
[3] Fleetwood *v.* The Commonwealth, 80 Kentucky, 5.

third person may lawfully interfere to prevent an arrest under a void warrant, doing no more than is necessary for that purpose.[1]

The French Government solemnly and repeatedly admitted that their cruisers in the West Indies not only were without lawful commissions, being sailed by foreigners and pirates, but habitually used excessive violence. They were forced to do so, being confronted with the acts of men like Hugues.

In the case of the *Endeavor* in particular, no conceivable threat of violence could be more excessive than that of deliberately hoisting the piratical flag.

The convention of 1800 was peculiarly the work of John Adams. It was negotiated under his instructions and represented his notions of international law.

In this controversy the views of John Adams are entitled to weight, not only because he was Chief Magistrate during the period of these spoliations, but because he was admitted to be an excellent lawyer. Massachusetts recognized him as the head of her bar, at a time when her bar was famous, by making him her first Chief Justice. He may therefore be taken to have expressed the contemporary American doctrine relating to resistance to search and arrest. I feel, therefore, justified in appending a letter of John Adams, written to John Quincy Adams after the action between the *Chesapeake* and the *Leopard*, in which he developed his theories in relation to the lawfulness of resistance to an unreasonable exercise of the right of search and arrest.

Quincy, January 8th, 1808.

. . . . . .

Before the British proclamation appeared, I thought that peace might be preserved. Since that event I see no possibility of it. We may submit to the annihilation of our naturalization laws and to empressments of our seamen from our merchant vessels for a year or years; but every instance of it will be complained of to our Government, to whom it will be a perpetual source of vexation and humiliation, as well as to the people and the whole nation. It will keep alive an eternal hatred between the two countries, and end in a war at last. I agree with you we ought not and cannot suffer this new encroachment, nor do I know how we can take a stand against it, unless by resolutions of both houses of Congress and re-

[1] Miers *v.* The State, 32 Texas Crim. Rep. 187.

monstrance of the President against it, as a new and unjust interpolation into the law of nations, made by arbitrary power against America alone, and distinguishing her from all other nations. Impressment of seamen by the law of nations? What a daring act of despotism! What impudence! This style is not proper for a public man: but it is only calling a cat a cat.

I believe I have said to you, and I know I have said formerly to your colleague, Mr. Pickering, to Mr. Wolcott and McHenry, and others, that there was no distinction between ships of war and merchant ships in this respect. If the Britons have a right to impress seamen from a fishing smack, they have the same right from an hundred and twenty gun ship. The deck of a jolly boat at sea, is as much the territory of its sovereign, as the hold of a seventy-four, and as much under its jurisdiction, as the house of its ambassador in a foreign country. Children born on board merchant ships at sea, are considered as natural born subjects or citizens of the Power to which they belong. Elizabeth Breisler who was born at sea, half way between England and America, is as good a citizen of the United States as Joseph Arnold, Junior, her husband, who was born in Quincy and never was out of it, farther than Boston. This little domestic anecdote will illustrate the argument as well as anything more solemn.

With all due respect for his Majesty the King of England, I cannot justify his proclamation from the charge of usurpation and arbitrary power, by the constitution of his own kingdom. Nothing short of an act of Parliament could authorize his navy officers to impress a seaman out of any foreign ship. And if one of his subjects on board such a ship, should kill a midshipman in self defence it would be justifiable homicide by their own laws. On the contrary if an English officer should kill an English sailor, in attempting to impress him from an American vessel, it would be murder, and this proclamation could not be pleaded in justification or excuse of the crime. . . .

Michael Corbett and three other Irish sailors coming in from sea on board a vessell of Mr. Hooper's of Marblehead, were sought by Lieutenant Panton and a midshipman of the *Rose* Frigate at the head of a pressgang. The sailors retreated to the forepeake, and there, armed with such instruments as they could snatch in their flight, stood upon their defence. A parley ensued. Corbett said, I know you are a lieutenant of a man-of-war, come to impress us. We are determined to defend ourselves. You have no right to force us. We have retreated as far as we could, we can go no farther. Much altercation ensued. Some attempts were made to break down the bulkhead, and the midshipman in confusion fired a pistol, and wounded one of the four sailors in the arm. This the lieutenant

reproved, but attempted to enter. Corbett thrust him back, and marking a line in the cargo of salt in the hold, said, if you step over that mark again I shall take it as a proof of your determination to impress me, and by the eternal God of Heaven, you are a dead man. Ay, my lad says Panton, I have seen a brave fellow before now, took his snuff box out of his pocket, and snuffing up a pinch, resolutely stepped over the line. Corbett instantly threw an harpoon iron, which cutt off the carrottid artery and jugular vein. Panton cry'd the rascall has killed me, and fell dead in a few minutes.

A reinforcement came to the pressgang and the four men were taken. They were tryed by a special court of admiralty according to the statute. Governor Bernard presided, Mr. Hutchinson, then Lieutenant Governor and Chief Justice, Governor Wentworth of New Hampshire, Mr. Auchmuty, Judge of Admiralty, Commodore Hood, now Lord Bridport, and many others were the judges. I prepared long special pleadings in behalf of the prisoners, demanding a trial by jury, but these were overruled as I expected.

Upon the tryal the evidence of all the facts was very clear. I was much affected by the testimony of the English sailors. Their attention to their oaths and punctual veracity, and impartiality, was very striking. Not a circumstance which made against themselves was concealed or disguised.

I had prepared an elaborate investigation of all the doctrines of homicide in the civil law as well as common law, and the Statute which expressly forbid impressment in America. The civil law authority on which I relyed the most was Gail, Foster, Hawkins, Lord Coke, in the common law. But I had not advanced far in my argument, before Chief-Justice Hutchinson arose and moved an adjournment of the court till the next day. His secret motives were two. 1st, To prevent me from reaping an harvest of glory; 2. to avoid a public exhibition of the law in all its details before the people.

Next morning Governor Bernard arose and said, that the Court had been together in private and as they were all of one mind they judged it unnecessary to proceed further in the consideration of the law or the evidence, and had ordered him to pronounce the action of the prisoners justifiable homicide, and the sentence not guilty. Not a word was said by any other judge.

I brought an action for the wounded sailor against the midshipman, and received a letter from Commodore Hood, asking favour for his midshipman as being worth nothing but his small pay, and offering to give my client the place of cook on board the *Rose*, worth twenty five guineas a year. This he refused, because he had fallen in love and would be married. The officers gave him such sat-

isfaction as he demanded and he wrote me orders to drop the action; and sailor-like, without ever paying my fees. This negligence made me laugh, but gave me no pain.

I had ample minutes of my researches in this case, but like all my other briefs, they are lost. The only minutes left are the report of the trial on writs of assistance, which Mr. Minot has preserved in his History. And this was saved by the roguery of a clerk.[1]

I was amused with the feelings of the sailors, of the crew of the *Rose*. I met many of them in the street and on the floor of the Court House, who could not conceal their joy at the acquittal of my client. Some of them thanked me for my *noble conduct*, as they called it, in behalf of those brave fellows. One of them, a boatswain, who had been a witness, and given his testimony with remarkable coolness and candour, to the satisfaction of everybody, said to me, "Sir, I have been almost constantly employed for twenty years in work of this kind, impressing seamen, and I always thought I ought to be hanged for it; but now I know it, yet I can't help it."

I don't believe there is a jury in England at this day, who would not justify a sailor in resistance and condemn an officer for an impressment. When I was in England a committee of the city of London, or of the merchants of that city, were before the King in council. Thurlow, then Chancellor, said this practice of impressing is legal. The committee by their chairman answered "We acknowledge the high authority of your lordship's opinion, but we cannot concur in it."

Judge Foster in his Crown Law,[2] has assembled every colour of argument and authority to support the legality of impressment of seamen. Read it. You will find that it is only in case of a special warrant from the admiralty or King in Council that impressments are countenanced, and that only within the rivers, harbours, and nearest seas.

A right or pretension so equivocal and contestable in their own country and by their own laws, can never be transferred into the law of nations without the consent of all the world. A more groundless pretence was never advanced. They might as justly claim from all our vessels at sea, the ship money of Charles the First, or his

[1] In the second volume of Minot's *History*, page 99, is a marginal note against the discussion of writs of assistance, "M.S. minutes taken at the bar." See Quincy, *Massachusetts Reports*, 1761–1772, 478, 479.

[2] Michael Foster, whose standing as a judge and interpreter of the law is still high among writers on the law. The work referred to is, *A Report of Some Proceedings on the Commission of Oyer and Terminer and Gaol Delivery for the Trials of the Rebels in the Year 1746 in the County of Surrey, and of other Crown Cases. To which are added Discourses upon a few Branches of the Crown Law.* Oxford, 1762.

loans and benevolences. They might as well set up their Star Chamber and High Commissioned Courts.

By the laws of England allegiance is perpetual and inalienable. What then? You have or ought to have the power of commanding the allegiance and obedience of your own subjects. This doctrine may be feudal, may be ecclesiastical. It may be implied by the old doctrine of the divine right of kings. It may have descended with the holy oil with which they are anointed and consecrated. We acknowledge no such law divine or human. By our laws it is allowed to any Englishman, Irishman, or Scotchman, to renounce his allegiance to the king and become a naturalized citizen and then we are bound to protect him. If you get him into your territory, you will do with him as you please: but you shall not come to Philadelphia from sea, nor to Pittsburg from Canada and steal him, nor take him by force. If you do, we will arrest you, and try you, and punish you by our laws, not by yours. We would do the same at sea, if we could. But want of power takes away no right.

I see no difference between the cases you have stated. A recruiting officer from Canada might as well come within our lines, and take away a man by force and make him a British soldier. A recruiting officer in Liverpool, Halifax, or Jamaica, might as well go on board our ships and take away their sailors to make them soldiers. There is just as much reason and justice, in interpolating a right of impressing soldiers as seamen, into the law of nations. It is in vain to look into books on the law of nations, relative to this subject: because so absurd and extravagant a pretension was never thought of by any nation in the world, till now.

The policy of the Romans was very different. They allowed even their capital criminals to banish themselves. The priviledge, the honor, the glory, the power and security of a Roman citizen was held to be of such inestimable value, that no man would voluntarily renounce it. To take it away from him was to many a punishment worse than death.

The word plagiat, I do not find in any book but the French. Kidnapping you may find in the American Encyclopædia. Plagium you may find in Calvin's Lexicon Juridicum, in Stephens's Dictionary and all the other dictionaries.

In the Dictionaire de Trevoux, Tom. 6, plagiat, crime du plagiaire, plagiaire, s. m. plagiarius. Dans les lois Romains, ceux qu'on appelloit plagiarii, étoient des séducteurs, ou des espèces de voleurs qui attiroient, retenoient, achetoient, ou receloient les enfans de famille, de l'un ou de l'autre sexe, pour les dépayser, pour les vendre et les négocier à l'insu, et contre le gré de ceux à qui ils appartenoient.

De la, par similitude, et par extension, on appelle plagiaire chez nous celui qui pille, dérobe les ouvrages d'autrui pour se les approprier.

Fabri Thesaurus. Plagium proprie, crimen quo quis sciens liberum hominem, aut alienum mancipium, dolo malo vendit, emit, donat, celat.

Calvin's Lexicon. Plagium est, cum quis hominem ingenuum vel libertinum invitum celat, vinctum habet, dolove malo sciens emit, aut in earum rerum aliqua socius est, vel cum servo alieno servæve persuasit, ut a domino dominave fugeret, servum servamve invito domino dominave celavit, vinctum habuit, dolo malo sciens emit, quive in ea re socius fuit.

Hinc plagiarii sunt, qui furantur homines liberos vel servos eosque vendunt, aut iis persuadent, ut a parentibus vel dominis suis aufugiant.

Plagiariorum pœna olim erat pecuniaria, quæ propter sceleris frequentiam in usu esse desinit: postea capitalis esse cœpit, et plerumque exilium, sive in metallum damnatio. Sane hominis liberi suppressio, pœnam habet mortis, quæ pœna etiam sacris literis est consentanea. Deut. c. 24.

The Britons had better devise a new article or a title in the law of nations and call it, the right of Britons to kidnap Americans. Their custom of impressment from their own ships is not more legal than the Dutch custom of kidnapping men for inhabitants of Batavia.

Why should not these modest gentry set up a right to kidnap us all, who were born before the Revolution? We have all the indelible character of British subjects. The King could not absolve us from that allegiance under which we were born, according to the English law. Why should they not kidnap your uncle Cranch, who has been sixty years in this country, and begotten a son and daughters.

The pretension is so much the more extravagant as it is inconsistent with their own whole conduct towards other nations, and the system of their laws. They have passed many acts of Parliament, which you will find in the statute book, granting various privileges to foreign seamen, and declaring such of them as shall serve a certain number of years to be naturalized and entitled to all the privileges of British subjects. Frenchmen, Spaniards, Swedes, Danes, Portuguese, etc. have the indelible character of perpetual, inherent, unalienable allegiance to the kings in whose dominions they were born. Yet an act of Parliament can absolve them. Why not, then, an act of Congress, or the Constitution of the United States?

You and I cannot follow our fœderal friends, if we ever had any such, in their present doctrines and politics. Yet on the other side a close connection with France is to be dreaded. Intrigues like that of Beaumarchais, and that of X. Y. Z. to pillage money into private

pockets, and other intrigues of courtiers, will aim at gaining advantages of us in negotiation. But by employing such ambassadors as Arthur Lee, Ralph Izard, John Marshall, C. C. Pinckney and Elbridge Gerry, and above all John Jay, we may, as we ever have prevented, them from gaining any great advantage to our injury.

My system of impartial neutrality might have been pursued and this war avoided. J. Randolph might well say, that they ought to go to Braintree and ask pardon of John Adams for opposing him in his plan of foreign affairs.

There is no law or usage of nations which forbids an American merchant or master of a vessel from engaging by contract any foreign seaman, not even a deserter, to serve as a sailor upon a lawful voyage. Nor is there in England. On the contrary there are many statutes granting rewards and encouragements to merchants to employ, to officers of the navy to enlist foreign seamen without limitation, and to any such seamen to enlist and serve. Such seamen are undoubtedly engaged, in honour, conscience and law, to serve by such shipping paper, and their personal service is a right, and why should it not be called a Debt? It is an undoubted duty. Deserters to be sure, must have contracted inconsistent engagements. They are bound in duty to serve, according to their first contract, and especially according to their oath.

As to electioneering, you and I may as well have nothing to do with it: but if I must vote for Madison or Monroe, I should not hesitate to prefer Madison, as at present informed. It is not worth while for the Federalists to name any man. They are dwindled down to an handful of disciples of Hamilton, and their system of internal government is not much better than that of our present rulers, their ideas of foreign affairs, I fear, are not so good. If our present rulers would not garble the Constitution, and would let us have a reasonable revenue, fortifications, ships and troops, I would not quarrel with them at all.

I hope Wilkinson and Randolph will not meet in the field of honor. I feel so much regard for both of them, that I should be very sorry to hear that either was killed or wounded. . . .

J. ADAMS.

Among the legal papers in the Adams MSS. are the notes of testimony taken at the trial of Michael Corbet. They are in the writing of John Adams, and are now printed in connection with his letter as an example of reporting in colonial law cases of which very few examples are to be found, and to complete the record of a cause which Adams believed to be among the most important that had fallen to his charge.

Testimony Taken in Case of Michael Corbet.

Mr. Fitch. About the time of the blow; the 2d pistol fired.
Com[mission] for com[missione]rs.
Instructions.
Witnesses.

Peter Bowen.[1] I have seen all the prisoners on board the brig *Pit Packet* on the 22d April last, in the forepeak. I knew Lieutenant Henry Gibson Panton, lately deceased. He was lieutenant of the *Rose* man of war. He was on board the brig *Pit Packet,* when I saw those men.

Mr. Panton went on board, and I with him.[2] We enquired for the master,[3] who proved to be the person we spoke to. Master, Mr. Panton and I went down in the cabin.[4] When below Mr. Panton enquired from where the brig came? Master made answer from Calais,[5] bound to Marblehead. Mr. Panton then asked him *for his bills of lading, clearance and other papers.* Master answered he had no papers except *a bill of health, which he produced.*[6] *Next Mr. Panton asked how many men he had on board?* Master answered, six before the mast, beside himself and mate. *He then asked for his log book?* Master *produced it. Mr. Panton desired the hatchways and scuttles might be opened, and he would send his people down to search for uncustomed goods, or to that purpose.*[7] Master said it shall be done. Mr. Panton [8] and I went upon deck, leaving the master in the cabin. *Mr. Panton desired the mate to send all his hands aft. At the same time ordered the* Rose's *people to go below to search.* The mate said he would send what hands there was aft. *Mr. Panton said he must send 'em all.* Mate said, he could not send 'em all aft, but he would go and call them. Mate went forward. Mr. Panton ordered me to go with him. *Mate called the people, but none of them answered;* of

[1] Midshipman, according to the *supplementary notes.*

Eight leaves have been inserted in the centre of the note book, beginning with this heading. The witnesses are the same, and the notes of testimony differ but little from those in the book itself. Where additional facts are given they have been placed in the notes to the testimony, with the words "supplementary notes" added.

[2] "The mate threw out a wharp for the boat." *Supplementary notes.*

[3] Thomas Power.

[4] Stanhope, another midshipman, also went into the cabin. *Ib.*

[5] "Cadiz, loaden with salt." *Ib.*

[6] "Having it in his hand ready." *Ib.*

[7] In the margin is written "Mem. Motion by Ad[vocate] Gen[era]l, that he might have a written account prepared before.

[8] Mr. Stanhope, also, in *supplementary notes.*

which the mate went aft and informed Mr. Panton. *Mr. Panton said he must search for them.*[1] Lights were got. *Mr. Panton ordered me with two of the boat's crew to search in the main hold for the men. We searched. We found nor heard none.* I came out of the main hold and went forward. *Gibson, one of the boat's crew, said to me, there 's a scuttle, pointing to one before him.* We ordered him and Churchill, another of the boat's crew, to unlay. Churchill, taking up the scuttle, called out *"Here they are," and desired the men he saw to come up.* Brig's people swore they would not, meaning those in the fore peak; and that the first man that dared to approach 'em, they would cut his limbs off. Which one of 'em said this I can't tell. They all spoke to that purpose, at the same time shewing a hatchet, harpoon, a musquet and a fish gigg.[2] *I then said the lieutenant wanted to see them, and desired 'em, the prisoners, to come upon deck.* They swore they would not. I informed Mr. Panton of what happened. Mr. Panton, hearing it, went forward. I went with him. *Mr. Panton mildly desired the brig's people, the prisoners, to come out,* which they refused to do, swearing they would die in the hold before they would suffer themselves to be impressed. *Mr. Panton then said, he wanted to search the hold, and asked them to let him come down where they were.*[3] They repeated to him what they had threatened to me, and shew him their weapons. *Mr. Panton desired a second time that they would come out, adding if they persisted in refusing, he must oblige them. One and all of them said to Mr. Panton, if he brought any arms against them, he should be their mark and they would put his lamp out first. Mr. Panton ordered the* Rose's *boat to be manned, and sent Mr. Stanhope aboard the* Rose *for assistance,* which I did. I returned to Mr. Panton, and found him talking with the prisoners, *endeavouring to persuade them to come out; explaining the folly of being obstinate.* The prisoners said several times in my hearing, *if there were fifty men armed, they would not be taken, and told Mr. Panton if he had any regard for his own life, he would let them pass. He said it was his duty, and he could not do it.* They said they knew he was lieutenant and knew his orders, and desired them again to let them pass, swearing and repeating their threats against him particularly. Mr. Panton had a candle in his hand, the place being very dark, *which he gave to one of the prisoners.* Desired they would

[1] "Note," is in the margin.

[2] Beverley's *Virginia* describes an Indian in a canoe "with a gig, or pointed spear," the butt end being used to push the canoe forward. The modern meaning is "an arrangement of four barbless hooks, fastened back to back, and attached to a hand-line." The word is also applied to a kind of fish spear, a three-pronged harpoon, fastened to a long wooden handle.

[3] "For that purpose," in *supplementary notes.*

let him *see*[1] *what sort of a place they were in. One of 'em took the candle and lighted it about where they stood.* Mr. Panton said, *he could not see what sort of a place it was, and wanted to go down. They said he should not go down*, and if he attempted it, they would[2] shoot him. Pierce Fanning presented the musquet and said it was loaded with slugs and primed. , Then returned the candle. Mr. Panton, Aye! will you shoot me?, in a joking, cheerful manner added, I will take a pinch of snuff first, *and ordered me to go and see if the boat was come back.* I informed him the boat was just returned. Mr. Peacock, Mr. Stanhope, Forbes the master at arms and the boat's crew. *They all came below.* Mr. Panton *asked the prisoners if they would surrender.* They said they would not. Mr. Panton *ordered Mr. Peacock* [and] *the boat's crew to go below in the main hold and open the bulkhead where the prisoners were. As soon as the crew began to work upon the bulkhead the prisoners, all of 'em, at different times, said they would shoot the first man that made a hole.* One of 'em, which I can't say, *advised the others to shoot the Lieutenant first and divide themselves, two to defend* the scuttle, *and one the bulkhead.* One of those at the scuttle *presented a musquet*, the other a *fishgig.* One from within called out *fire. Mr. Panton and I having our swords drawn, I with my sword struck the musquet out of its direction at Mr. Panton.* Mr. Panton came over towards me and ordered the scuttle to be laid on, which Woodgate, one of the boat's crew did, and stood upon it, to prevent their doing any mischief that way.[3] Mr. Panton and I went below to see what Mr. Peacock and the crew had done there. *The master at arms had made an opening with an iron crow in the bulkhead*, and having made a small one, *one from within presented a musquet thro it at him, to the master at arms, threatening to shoot him.* When we went below the *Rose's* people had separated themselves, at each end of the bulkhead. Mr. Panton went to the starboard side, where Mr. Peacock and some of the crew were. I went to the larboard side where Forbes, Silley and Sinclair were. The man who presented his musquet at Forbes went over to the other side, upon which Forbes *took up his crow and broke off a large plank, and then gave the iron crow to Sinclair and took up his pistol. One within presented a musquet at Sinclair, which he snapped three times, the others calling out to fire, damning the piece for not going off.* Silley got hold of the musquet, but by himself could not keep it, those within drawing it from him. *Then Silley went to Mr. Panton's side, and almost immediately after I heard the report of a pistol, which Silley at that time said was fired by*

[1] "Through the scuttle." *Supplementary notes.*
[2] "That moment." *Ib.*
[3] "Or coming out." *Ib.*

him, without ball, at the man who threatened the lieutenant so hard.[1] Who that man was I can't tell, being on the other side. Mr. Panton all this time frequently *begging of them to surrender, or he must clear his way to them. Some of them again said they would shoot Mr. Panton first, and Forbes, the master at arms next, before they would be taken. Upon hearing the report of a second pistol,* I turned about and saw Mr. Panton had been wounded in the throat. I did not see the harpoon. I saw the shape of the harpoon upon the throat, and had [heard?] fired a pistol as I then thot, at the receiving of the wound. Mr. Peacock was with him, and Rainsford, one of the boat's crew, endeavouring to stop the effusion of blood with their handkerchiefs. Then went on deck. With help of two men of the boat's crew, I carried Mr. Panton to the brig's cabin, where he expired in less than two hours. I believe the wound I saw was the occasion of his death.

Qu. by Mr. Trail. Did Mr. Panton declare he wanted to search for uncustomed goods, when the candle was handed down? He did not at that time.

Q. by me. Do you know what orders Mr. Panton had before he left the *Rose*, and by whom given? No.

Q. Did Mr. Panton ask the master if he had any favour for any one of his crew, and if he had, he would not take him? No.

Q. Did you hear Mr. Panton say he did not intend to have taken more than two, but as they had lied, he would take all four? He did not tell the master so, *but he told the prisoners so, while the boat was gone abord the* Rose.

Q. Did Mr. Panton persuade the men to go on board the man-of-war? *He told 'em they should have good usage if they would go.*

Q. Did he say, after the candle was moved about, did [he] not say he was satisfied there was no uncustomed goods there? No.

Q. What arms had Mr. Panton and his party, when they went first on board? No body but Mr. Panton had any when they first went on board, and he only a sword.

Q. What arms were bro't on board the brig by the boat, when she came the second time? Cutlasses, pistols, and musquet — how many I can't say.

Q. Any of Mr. Panton's party used any threatening expressions to the prisoners, and what? *They said if they hurt any of 'em with their weapons, they would fire upon them. This was before the first pistol.*

Q. Any of Mr. Panton's party presented their pistols at the prisoners, or made any pushes at them with their swords or hangers

[1] "And had several times snapt his musquet at him, in order to frighten them and make them submit." *Supplementary notes.*

before the fatal blow was given? *They kept their pistols in their hands*, but the men had no swords, and none made any pushes.

Q. Had all the boat's crew pistols? I can't say that. The lieutenant, two midshipmen, the first time. There were more than the boat's crew the second time. Boat's crew 7, two midshipmen, four [or eight] more might come the second time. Ten the first time.[1]

Q. Were all the persons from the man-of-war below? Not all the time, I believe. They were about the ship.

Q. Did not the prisoners often say, they did not want to hurt him or his men; they only wanted their own liberty? Yes, I don't know that I heard 'em more than once.

Q. Whether they begged and pleaded that the lieutenant would let 'em alone? Yes.

Q. When the prisoners said they would die before they would be pressed, did the lieutenant tell 'em, *he did not want to impress 'em, but only wanted to look for uncustomed goods?* No.

Q. Did the lieutenant ever tell 'em he did not want to impress them? No, never in my hearing.

Q. Was the opening in the bulkhead such that the lieutenant might see into the fore peak, whether there were uncustomed goods there or not? I don't know.

Q. Did you hear the prisoners say to Lieutenant Panton, they had nothing against his searching, if he would let them alone? No.

Q. Did they take the candle in order to shew him there was uncustomed goods [*unfinished*].

Q. Whether the prisoners took the candle from the lieutenant and moved it about, that he might see there was no goods there? Lieutenant desired them to take it, that he might see what sort of a place they were in.

Q. Lieutenant said he could not see, and wanted to come down.

Q. by Mr. Fitch. Whether the hold was not so full of cargo that they could not stand upright? In the main hold we were obliged to sit down on the salt. I was never in the forepeak.

Q. by Judge Auchmuty. How long between the two pistols? I can't tell. It might be a quarter of an hour, more or less, I can't tell.

Q. by Governor Bernard. Do you know which prisoner gave the wound? No.

Mr. HENRY STANHOPE, midshipman,[2] of East Chesterfield. Mr.

[1] The arrangement is not clear, but the questioning was intended to bring out the number of men from the *Rose* before and after the second boat came to the brig. See p. 446, *infra*.

[2] Here occurs a contracted word I am unable to decipher.

Panton was lieutenant of the *Rose* man-of-war. Knows the prisoners; saw 'em 22d April last on board the *Pitt Packet*.[1] I went on board the brig with Mr. Panton. The mate threw a rope to the boat. Lieutenant inquired for master, who was the person he spoke to. We went down into the cabin with him, Panton, Bowen and I. When below Lieutenant demanded of the master the bills of lading and clearance. He answered he had none but bills of health. *Mr. Panton then asked for his log book, which he produced. He then asked how many hands he had on board?* He answered six before the mast, besides himself and mate. Lieutenant went upon deck; the master came up a little after. *Lieutenant told the master he must let his men search for prohibited goods, which the master readily complied with, replying "Very well." Lieutenant sent Mr. Bowen with two of the boat's crew, to search the hold.* Mr. Bowen came up and related what had happened.[2] Lieutenant ordered me to stay upon deck and look after the *Rose's* boat. Presently Mr. Bowen came up and told me it was *Mr. Panton's orders that I should go on board for assistance.* I went with four of the boat's crew, and acquainted the captain with what had happened. Returned with Mr. Peacock and Forbes, the master at arms, and others, I can't recollect *who, with arms, cutlasses, pistols and muskets.* On my return I know but little of what happened after. When Mr. Bowen came up, he said, there were men aboard *who swore the first man* [who] *approached them, they would kill.*

Q. by me. *Was the Lieutenant's order to Mr. Bowen and two of the boat crew to search the hold for men or for prohibited goods? I can't say. He told 'em to search the hold, for what purpose I know not.*

Q. by Mr. Fitch. Was the orders to search presently after he told the master he must search for goods? *In a short time after, but the orders were given on deck; what was said to the master was in the cabin.*

Mr. Fitch's Application of the Evidence.

Of the utmost importance to society, that murder should be punished. Shall only state the evidence summarily.

Mr. Panton, an officer of the customs, duly authorized to make searches and seizures. The Commissioners here authorized by act of Parliament to issue commissions. This commission issued to the officers of the navy.

[1] In the margin is written what seems to be the words "learnt it perfectly before I came into court."

[2] "Mr. Bowen came upon the quarter deck and acquainted Mr. Panton that there were men below, who swore the first man who came near 'em was a dead man." *Supplementary notes.*

As a custom house officer he had authority to go on board any vessel to search. He went on board and demanded papers and leave to search. The master readily consented.

Master's explicit consent to search, a material circumstance. He found the men, and insisted that they should come out, and said he wanted to search that place for prohibited goods.

No threatenings on the part of Mr. Panton. On the contrary he spoke in the mildest and most persuasive manner.

No arms when he went down the hold. Threatening language from prisoners. A pistol. Mr. Panton's disapprobation. The pistol one-half hour before the fatal accident.

Corbet one of the persons that threw the harpoon that killed the lieutenant. They were all active, stimulating one another, and all equally concerned, tho Corbet gave the mortal blow.

Lieutenant was in the lawful discharge of his duty, and the explicit consent of the master for this purpose. Any opposition to him therefore was illegal. The opposition being illegal, he was not obliged to give back. No threatenings on the part of Mr. Panton by which the prisoners could apprehend danger to their lives, tho they had apprehensions of being impressed.

The pistols not fired by him, but *vs.* his direct orders. The last pistol after the wound was given. Peacock saw the blood. Lieutenant Governor says he did not see the blood, till after he fired. The Register has taken it otherwise.

The threatenings of prisoners levelled at Mr. Panton himself. We will put your lamp out first. This shews malice *vs.* him in particular. Why should they single out this person any more than others.

If any person is singled out, it is malice, tho in an affray.

I will consider the apprehensions the prisoners were under and the effect of this upon the evidence. They were under apprehension of being impressed. But Mr. Panton did not say he would impress 'em. Answer, Mr. Bowen said, that lieutenant told prisoners he would take 'em all.

How far this can excuse? Justify, I apprehend, it cannot.

I am considering how far the prisoners' apprehensions could affect the crime. I think it could not affect the crime at all, as he was acting under a legal authority to search for goods.

What effect the firing the first pistol can have upon the crime? I apprehend it can have very little weight, as it was done without order, and the lieutenant expressly disapproved.

Lieutenant unarmed, in such a position and attitude that he could not be in a condition of offence.

Question. Whether these circumstances can soften the crime

down from murder to manslaughter, or whether they are not proof of malice forethought.

Law. A question whether the court are to proceed by the civil law, or by the rules of the common law. I apprehend the crime is the same by both laws; the same essential distinctions in both. The voluntary taking away life, dolo malo, with malice forethought. Manslaughter is not by name in the civil law, but the civil law makes the same allowance to the infirmities of human nature. Discretionary in civil law, what punishment to give to sudden killing. By 28 H. 8. and 11 & 12 W. 3. compared, taking 'em together I apprehend no safer rule can be proceeded by than to proceed by the common law, and this has been the practice.

I shall confine myself to the rules of common law. 1. H. H. P. C. 16. 17. Question, whether the statute does not restore clergy; the offender is to have his clergy. Lieutenant Governour said some cases that would be manslaughter at common law would be punished by death by civil law.[1]

1. H. H. P. C. 457, implied malice, kills without provocation. A bailiff, constable or watchman. No lawful warrant. *Capias distringas*. 9 Co. 68. Same book 458. A bailiff turns etc. Com . Pew said stand off. Bailiff had hold. Pew killed. Murder. A similarity in these cases. If lieutenant had a right to enter every part of the vessel, he is equally under protection of law as any other officer, and opposing him is at the opposer's peril.

458. Bailiff, Cook. Cook bid him depart. It was manslaughter. In defence of his house, no felony. Tho lieutenant might pursue his authority in an illegal manner, yet it would be manslaughter. No greater effect than that. It must be left to the court whether so great. Should the court think that amounts to manslaughter, I see no reason *vs.* punishing by the civil law.

Our Witnesses.

THOMAS POWER, master of the brig. *Q.* Did the man-of-war hail you before the lieutenant came on board? The *Rose*[2] fired two guns and hailed us by a trumpet, and ordered us to lie to; after which Lieutenant Panton[3] came on board. He enquired for the master. I told him I was master of the vessel. Then he asked me for my clear-

[1] "A question has been stated by Sir Francis Bernard, whether, (as there is no distinction between murder and manslaughter in the civil law,) the court can allow clergy, if they find the prisoners guilty of manslaughter; that is, whether the court can do any thing but pass sentence of death, and respite execution, and recommend them to mercy?" The reply is given in Adams, *Works*, II. 533.

[2] "Four leagues from Cape Ann." *Supplementary notes.*

[3] "Lieutenant and two midshipmen." *Ib.*

ance. I told him I had none. He replied, you must certainly have some papers. I told him I had no other clearance but a bill of health, and a bill of lading, as it was a foreign port from whence I came, and we took no clearance therefrom. He asked me for the bill of health, which I produced. *He then asked me for a list of my men.* I produced him my shipping book. He asked me if I would walk down [into] the cabin. When he came down *he asked me where my people were.* I told him I did not know. Then he called for *pen and ink*, and for the log book, and took down the people's names, and he ordered some of his party to go and *seek for my people*, and *turn 'em up* from below. Then he asked me to open my lazaretto [1] scuttle for 'em. I told him I would. After he had taken my people's names, he asked me if I had any particular person, that I wanted a favour done him, let him know his name, *he would put a mark against it, and when he came upon deck, he would not take him.* I told him I had one man that was married, and I tho't it would be hard to take him. He said by no means, he would not take no [any] married man, for he had orders to take none that was married. *He asked me if I had any more hands aboard, but what was in the list.* I answered, no. Then he desired me again to tell him if I had any more, for if he *found more aboard, it should be worse for me.*[2] While he and I were talking, some of his men came and told him that they [had] found out the men, that they were hid in the cabin [fore peak], and went upon deck, and I never saw no more of him, till he was brought up by some of his men out of the hold.

Q. What condition was he then in? He was wounded in the neck on the left side. I perceived an effusion of blood. He might live one hour or an hour and a half. Speechless when he came up.

Q. Were you present when orders were given for the boat to go on board the *Rose* for more men and arms? Declare all you know. I was upon deck when orders came up to send the cutter on *board and bring the cutter properly manned and armed;* that when the cutter returned the *Rose's* men jumped in upon the brig's deck, some with their pistols cocked and some with their cutlasses drawn. Some of 'em enquired, particularly the master at arms, *where the dogs were, and said they would soon have 'em out.* They then went down between decks to the lieutenant, all of them but one man, left to take care of the boat. In a little time afterwards, one of their men came up

[1] While the original meaning of the word was a building or a ship set apart for the performance of quarantine, it was, as early as the beginning of the eighteenth century, applied to a place in the fore part of the ship, between decks, for the stowing of provisions and ships' stores.

[2] "He then said he would have taken only two, but as they had hid themselves, *he would take them all four.*" *Supplementary notes.*

upon deck to me, said he was sent by the lieutenant (Charles Rainsford, now present in court) for some tools, to cut the bulkhead thro, and if *I refused sending them, that he, the lieutenant, would confine me.* I told him I had none; if they could find any about the vessel, *they may make use of them.*

Q. by Mr. Otis. Did Lieutenant Panton demand a search of your vessel as a custom house officer? No.

Q. Did he demand a search for the men? He did not demand a search for them of me, but ordered his people to go and search for them.

Q. For what purpose did he search? Declare all you know. I imagined it was to impress 'em. He said his orders were to take but two, but as they had lied, he would take the whole four.

Q. Did he say anything to you about his being a custom house officer, or his having a right to search for goods from first to last? No, sir.

Q. Did you ever hear him give orders to any of his people to search the vessel for prohibited or uncustomed goods? No.

Q. What did the prisoner Corbit say, when he first saw the dead body of the deceased in the cabin door? When he came to the cabin door and saw the lieutenant dead, he shed tears, turned about to the marine and said to him, you rascal, you are the instigator of this gentleman's death; and said, you are the person that fired at me.

Q. by the Governor. Did lieutenant behave civilly or uncivilly to your observation? He behaved civilly to me.

Q. by me. What countrymen were your two foremost men, who were not in the fore peak?

Q. Were they inhabitants of Marblehead, and had they families? One had a family in Marblehead; the other was an inhabitant there.

Q. Were these two men both pressed and carried aboard the man-of-war afterwards, the same day? Yes. They were taken away. They were returned before night. I was not required to settle their wages, which I take to be the common practice.

Q. Did one of those two men deliver you the key of his chest and desire you to deliver his chest to his wife at Marblehead, before he went on board the *Rose?* Yes.

Q. by Commissioner. When the lieutenant desired you to unlay the lazaretto scuttle, did he give any reason for the request? No.

Q. by Mr. Trail. Did he ask you what goods you had aboard? Yes. I told him salt.

Q. Did the lieutenant say he should take no Americans? Yes.

Hugh Hill, mate of the *Pitt Packet.* On the 22d April we met a

ship standing out of the bay; between six and seven o'clock they fired the gun, and soon after fired another. We bore down under the lea. They hailed us, told us to bring to, and with our head the same way that they were, until they would send their boat aboard. Their boat came aboard, with the lieutenant, two midshipmen and seven men. The lieutenant asked for the master of the vessel, who was then present. He asked him for his papers. He told him he was from a foreign port, he had only a bill of health, in case of being put into another port, and his bill of lading. Lieutenant asked him for his shipping book, and asked him to go down into the cabin with him. They remained in the cabin seven or eight minutes,[1] and the lieutenant came upon deck again, with the shipping book in his hand. Asked me if I was mate of the vessel. I told him I was. He told me to call our men to answer to their names. I called to 'em to come aft and answer to their names. The two that were upon deck came aft. The lieutenant looking upon the men, seeing no more come but those two, looked steadfast upon me, and said, go, sirrah, and turn your people up, *or I shall take you.* I said, Sir, you may use your pleasure.[2] At that instant he took up his sword from our companion where he had laid it, drew the sword, and left the scabbard and belt, and went forward, and went down into the forecastle, where the prisoners were. He said, my lads, you had better come up. *I shall take but two of you. You shall have an equal chance.* They replied they would not. I heard a number of voices, can't say they all spoke. They told him they would not be impressed, that they would defend themselves, and told him to keep off from them. *They did not want to hurt him nor any of his people.* He called to Mr. Stanhope, one of the midshipmen, to take four hands in the cutter, and go on board for more men and arms, and to have the cutter properly armed. He then replied to the prisoners that he had often known as tough fellows as they, but by God I will have *you all.* He was down below the upper deck, I was on the upper deck, the scuttle open between us, I leaning with my head over the scuttle. I then went aft. Soon afterwards he sent up to know if the lower deck hatchways was open? I told him that came up, that *all the hatches and scuttles in the vessel were open*, excepting that where the boat stood. Soon after he sent for lights. I ordered the cook to light candles for him. Soon after they got the light the second boat came aboard, with a number of men armed. The master at arms and Mr. Peacock came out of the boat first, the master at arms saying "Damn the rascals, where are they?" *I 'll have them out*

[1] In five minutes, say the *supplementary notes.*

[2] "Then his people came and told him the brig's people was down in the forecastle in the peak." *Supplementary notes.*

immediately. The master at arms went down forward, Mr. Peacock following, who ordered his men to follow him. They went down. Soon after there came a man up, asked for the master, told him he wanted the tools belonging to the vessel; if he did not deliver 'em, the lieutenant would confine him. He told him he did not know where they were; if they could find 'em they might take 'em. They found an adz and a crow bar, and went down into the hold again with the tools. In a short space of time I heard a pistol go off. About seven or eight minutes after, one of the people who came from below told me that one of our men was wounded. In eight or ten minutes [1] after, I heard a second pistol go off, and in four or five minutes after, Mr. Peacock came up and hailed the *Rose*, and told 'em for God's sake to send the doctor on board, the lieutenant was wounded. They bro't the lieutenant to the forescuttle, and I lent a hand to carry him down into the cabin. The doctor came to him. After the doctor had been with the lieutenant, he came out of the cabin. Some of the people asked him to dress the wounded man (meaning John Ryan). He answered, let the rascal bleed and be damned. He ought to have a brace of balls drove thro' his head, the man remaining in his gore till he was carried on board the man-of-war. After they had placed sentries over Corbit, James Silley, a marine, told Mr. Newcomb and me, that he fired a pistol in Corbit's face,[2] thinking to make him retreat. Some of the people there, after the Lieutenant was dead, made mention that the lieutenant was a custom house officer. Our master asked me if I had seen his shipping book. I told him, no, and went and asked the midshipmen, if they had seen the shipping book. They told me, no. They said they would search the lieutenant's pockets for it. They went down into the cabin, and took his papers all out of his pockets in my presence. The shipping book was not in his pocket. When the mate of the *Rose* came on board to search, the Monday following, *viz.* the 24th, he brought a deputation as a custom house officer, and shew it to Captain Power. Captain Power said he need not read it: the vessel was all open, he might search. There was no parchment in his lieutenant's pocket when his papers were taken out. I examined all his papers particularly to find the shipping book. The commission being shewn him, he says it was not there.

Q. Did Lieutenant Panton, deceased, from the time of his coming on board the *Pitt Packet* to the time he fell, make any demand on Captain Power in your hearing, or of any other belonging to the *Pitt Packet*, to suffer him to search the vessel as a custom house officer for uncustomed goods? No.

[1] Six minutes, say the *supplementary notes*.
[2] "By order of the lieutenant." *Ib.*

Q. Did the lieutenant, with his party, from the time of his coming on board the *Pitt Packet* to the time he fell, conduct him and themselves, in all respects, merely as a press gang? Yes. I understood it so, and had very good reason, when he told me he would take me on board the man-of-war, if I would not turn the men up.

Q. How long was the lieutenant on board the brig before he fell? It might be two hours, as near as I can judge.

Q. What part of those two hours was taken up in the forcible attack upon the fore peak, where the prisoners had retreated? The whole time, excepting what was spent with the captain and him in the cabin and on deck, what might be ten minutes in the whole.

Q. With what weapons was this attack made, and what methods used by the lieutenant and his party to break into the forepeak? Declare all you know. Answer. Crow, axe, pistols and cutlasses, I suppose, that were carried down.

Q. What was said by the officers or people of the man-of-war to the two of your men, when they were ordered into the boat, in order to be carried aboard the *Rose?* I don't know. I was n't upon deck.

Q. What did the officer find on the 24th? He found [in] our stores some bottles of wine and some loose lemons, five or six hundred, in a barrel. Nothing else. He seized the vessel; put the broad arrow on the mast.[1]

Q. by Corbit. What did Corbit say when he first came up and saw the lieutenant? And what did I say, and how behave? Through my persuasion he came up. I told him it would be much better for him. He asked me if I would advise him for what I thought was best for him. I told him I would not give him advice to his prejudice. He came up and went into the cabin. Seeing the corpse, tears came from his eyes. He turned round and saw the soldier that fired the pistol upon him. Said, you are the rascal that is the occasion of this gentleman's losing his life. He said in the forepeak, he did not believe the lieutenant was dead.

John Roney, mariner on board the brig. The cutter came aboard, and lieutenant and two midshipmen, and seven men. Lieutenant inquired for the master. Lieutenant went below with the master. He came up with the shipping book in his hand, and told the mate to call the people. The mate said there were two forward and called 'em accordingly. Lieutenant, looking upon the shipping book called Michael Corbit. Then he called John Roney. I answered to my

[1] The broad arrow is still used by the British Board of Ordnance, and is placed upon government stores.

name. One of the *Rose's* people came and told [1] the lieutenant the men were down in the fore peak. Lieutenant went forward immediately; took his sword drawn along with him. Lieutenant asked the prisoners to come up. The prisoners answered, they would not. Lieutenant made answer, he would have them up. They said they did not want to hurt him or his people; they wanted nothing but their liberty.[2] Some time after the lieutenant bid one go aboard the boat and fetch more men, and bring the boat armed, and the master at arms. When the cutter returned again I hove her a rope. They had a great many arms and there was Mr. Peacock and the master at arms. The master at arms took a pistol in one hand, cocked, as I thought, and a cutlass in the other. He jumped aboard the brig and says, By Jesus, I 'll have these dogs out; immediately speaking again, "where is these buggers?" He went down the forecastle with his pistol and cutlass. I did not hear any more of him for about thirty minutes.[3] First thing I heard was the report of a pistol. Mr. Stanhope, standing sentry over the forecastle scuttle, told me one of our people was wounded. About five or six minutes afterwards I heard another pistol go off. About four or five minutes afterwards I heard the lieutenant had got a deadly wound.

JAMES MCGLOCKLIN, cook on board the brig. I was down in the steerage, and the lieutenant desired me to get him a light. I did. Desired me to shew him the way twixt decks forward. I shewed him the way, and carried the light in my hand. Lieutenant asked the prisoners if they would come up. They replied they would not. He said it would be better for 'em; *if they would not, he would make them.* They said they would not. They were freemen, born free and would not go aboard a man-of-war. He said, he would have 'em. *For men he came for, and men he would have.* Lieutenant said if they would come up, he would not hurt any of them. *They said they would not, they would stand in their own defence; they did not want to hurt nobody.* I went aft in the steerage again until the boat came on board [the] second time, with more men and more arms. Lieutenant called for another light. I got it, and carried it forward to him. Heard him say that he had seen as stout men as them come out very easy before now. They replied to him, they were none of them [that] sort of men. He said to them, I 'm *the man that will bring you out.* Then I went aft. Lieutenant called after me to shew

[1] "And said, one of our people had drove a pair of grains thro his trousers." *Supplementary notes.* A "grains" is a fish spear with two or more "grains" or prongs.

[2] "Then he ordered a man to hail the ship, and a midshipman did hail her, and I got him the trumpet to hail her." *Ib.*

[3] Twenty minutes, in the *supplementary notes.*

him the hatchways, which I did. Then the master at arms came directly with his cutlass and pistol, and asked me for a crow bar. I told him I did not know where to find one. He looked and found a crow bar.[1] Then says he, where 's these buggers, I 'll have them out. Lieutenant and he and the rest of their people went down in the hold, and I went away into the steerage. Presently after I heard a pistol go off. One of the man-of-warsmen came up and told me, one of our people was wounded. Soon after, four or five minutes, I believe, I heard another pistol go off. Presently I see the wounded man, John Ryan, come out, crawling over the water casks, asked me to help him; begged of me to get him water,[2] he was faint, etc. Soon after I heard the lieutenant was killed.

Q. Did you ever hear lieutenant, or any of his party, demand leave to search for goods, or say anything about it? No.

Q. Did they behave merely as a press gang? Yes, and I never suspected they had any other design. I saw lieutenant have his sword.

Edward Wilks, a private marine on board the *Rose*. *Q.* Did you place the sentries over Corbit, on board the brig after the lieutenant was killed? Yes.

Q. How did he behave, and what conversation had you with him about the unhappy accident? The sentries were planted, and I went down to see if every thing was quiet. I found disturbances on both sides. I begged of the prisoners at the bar, Ryan excepted, to behave in a better manner, for the lieutenant was killed. They made me answer, that they did not believe it, for they did not mean any harm to any one, without it was them that came armed against them; and further told me, that if I would lay down my arms, they would lay down theirs, and I might be welcome to eat and drink with them. I made an answer, that I did not choose any thing of the sort. Corbit desired me to go to Mr. Hill, the mate, and ask him, as to send 'em something to stop the wound, for he was shot. Accordingly I went up. He went down.

Charles Raynsford, a seaman on board the *Rose*. Came [in] the first boat, with the lieutenant, and was down in the brig's hold with him. In going down the hold, Mr. Peacock was the head officer, and the master at arms. There was no orders given to break open the bulkhead. The prisoners said, the first man that made a hole there would be the death of him. Presently after a hole was made. The prisoners never hurt any of 'em that made it, tho' the hole was large eno' to have hurt 'em with their weapons. Some time

[1] "By the water-cask, and carried it down in the hold." *Supplementary notes.*
[2] "And clothes." *Ib.*

after, the lieutenant came down. When he came down I did not really see him. He (lieutenant) took my pistol from me. Mr. Peacock was close by. I made answer, I can't stand here with a naked cutlass only. With that I drew back. Lieutenant ordered some body to go upon deck, and fetch an axe. I went up to the captain, Power, and I asked him for an axe. I saw the first pistol that was fired, run close to his face and fired. Corbit said, Gentlemen, you have wounded me. Corbit asked lieutenant, by what authority he fired at him.

Did you hear Mr. Panton say he wanted to search for uncustomed goods? No. I did not.

Captain Robert Calef. 30th of April Mr. Bowen came to my house. I said to him, an unhappy accident happened on board the brig. How did it happen? I was as nigh the man that killed the lieutenant as the lieutenant was when he was killed. I asked him how the affair was. He told me the man had given him all the fair warning imaginable, and it was the lieutenant's own fault; and they had talked together, the lieutenant and prisoner, while the boat was gone for.

Mr. William Peacock. [Midshipman.] Mr. Panton was lieutenant of the *Rose*. I knew all the prisoners aboard the *Pitt Packet*, 22 last April. At my first arrival on board the brig, I inquired of the mate, where Mr. Panton was. He said, down in the fore hatchway. I went down directly, followed by the boat crew. I inquired the cause of the disturbance. *He told me*[1] *that all the arguments he could make use of*,[2] *the brig's people, four in number, were down the fore peak, and said they were resolved to die sooner than be pressed on board a man-of-war.* Mr. Panton then ordered me down the main hold with the boat's crew to force down a bulkhead which parted the main from the fore hold. I went down directly, and *ordered the people to break down the bulkhead, which they began.* The brig's people, the prisoners, from within threatened to kill the first person they saw. *Upon a hole's being made by our people in the bulkhead, they presented a piece thro that hole, and snapped it three different times*, the people in the mean time breaking the bulkhead down,[3] so *that in a little time I could discern four persons differently armed with gun, fish gig, axe and harpoon. Still striving to hurt our people as much as lay in their power.* Mr. Panton then came down and ordered the people to desist from breaking the bulkhead down, till he had spoke to those within, the prisoners. *He represented to 'em the folly*

[1] "The people were so obstinate that," etc. *Supplementary notes.*
[2] "Were to no effect." *Ib.*
[3] "So much down as to give an imperfect light of the place." *Ib.*

of persisting against a superior number, acquainting 'em with the impossibility of their escape, and promising them good usage, if they would come out voluntarily. They told him they would not, *and that they knew him to be a lieutenant, that the men acted by his orders, and that the first man that offered to touch the bulkhead, they would do for him, meaning Mr. Panton. One of our men, then hearing this threat, fired a pistol at the man who told Mr. Panton so, loaden with powder only; which must be true, as it only scorched his upper lip* and made it bleed, in order to intimidate him, as the man declared. James Silley [was] the man.[1] The man Corbit said to Mr. Panton, *see what one of your men has done, pointing to his lip.* Lieutenant made answer, *it was not done by his order;* when you, he meaning Corbit, *come on board the* Rose *he would shew him the man that did it, in order, as I suppose, to get satisfaction.*[2] *Lieutenant then asked them if they would come out, and promised them good usage again.* They said, they would not, and that the first person that offered to approach them, they would kill him. Michael Corbit was the chief speaker, and said this in particular; what he said, the rest generally joined in and assented to. Lieutenant then gave new orders to break down the bulkhead, which our people did as well as they could, being interrupted by the prisoners.[3] Immediately after, Mr. Panton gave orders to stop a second time, and asked them if they would come out again. They said, no. Lieutenant then asked one of 'em to lend him his axe, that he might beat the bulkhead down the sooner, in a joking manner. He within answered he 'd lend it to scalp him. Lieutenant then ordered to break down the bulkhead, which we were just going about, when Corbit, the prisoner at the bar, *struck at Mr. Panton with his harpoon.* Mr. Panton immediately said after the stroke,[4] Peacock, "*the rascal has stabbed me thro' the jugular vein*" *I immediately fired my pistol at the person who wounded him, who was Corbit.*[5] I saw his blood spout out amazingly before I fired my pistol.

Q. by the Governour. In what posture was Mr. Panton? He was sitting on the salt opposite to Corbit, and was not any ways attempting to force an entry.

Q. by Commodore Hood. I distinguished Corbit by the blood on

[1] "Upon which the man whose face was scorched asked," etc. *Supplementary notes.*

[2] "And immediately took the pistol from the man, and gave strict orders, no one should fire without his directions." *Ib.*

[3] "Who kept presenting their piece and striving to hurt our men with their other weapons." *Ib.*

[4] "He stood in his former position for a few seconds." *Ib.*

[5] "Mr. Peacock ran, and bound his neck with his handkerchief." *Ib.*

his face. When Silley fired the pistol, lieutenant took the pistol from him and gave orders that no one should fire without his orders.

Q. by Lieutenant Governor. Did the prisoners discover that they heard these orders? I did not see any difference in their behaviour. I can't tell whether they heard. There was a noise. I was quite close to him.

Q. by Judge Auchmuty. How long between the two pistols? Half an hour; I am sure it was.

Q. by Governour B[ernard]. Did Mr. Panton ever give orders that his men should fire at the prisoners? No, sir, never.

Q. by me. What number of men and what arms? *Ans.* Eight came with me and Mr. Stanhope. We brought two musquets, four pistols and four cutlasses.

Q. by me. What threats were used by any of the lieutenant's party to the prisoners? The firing of the pistol, and damning one another, but no other threats that I heard. Mr. Panton might say they had better come out by fair means.

Q. Did you draw up your first deposition yourself?

Q. by Judge Auchmuty. Have you any doubt upon your mind but that he intended to impress the people, or not? No, sir.

Q. by Lieutenant Governour. Whether the other men were impressed? They were carried on board the *Rose*, but immediately discharged.

Q. Did you hear the prisoners say to lieutenant, they did not want to hurt him or his men? I heard Corbit say to Mr. Panton, see here what is done? What right had your men to do this?

Q. Did you hear the prisoners or any of 'em say to lieutenant, or any of his party, I can fly from you no further. I must defend myself. They said they were resolved to defend themselves.

Q. Did any of the prisoners say they were no deserters, and lieutenant could have no orders to impress them in time of peace? No, not as I heard.

[John] Forbes, master at arms. I knew Lieutenant Panton very well. I know all the prisoners very well. Saw 'em first on board the *Pitt Packet* belonging to Marblehead.

I was called out and ordered to go aboard the brig to Mr. Panton's assistance, which I did. I walked forward to the starboard side of the forecastle. I heard one of the brig's crew call out from below "Come on you dogs, here we are." I took off my coat and threw it upon the forecastle, then went down below, one of the boat's crew with me with a light to shew me the bulkhead, which I saw by the light. I laid my hand upon it. I said there was nothing to be

done without an iron crow. I went up the main hatchway to look [for] one. I met the lieutenant.[1] He asked me where I was going. I told him I was going to look for an iron crow. I tried aft and found one and carried it down to break open the bulkhead. Mr. Panton joins (?). Lieutenant at the same time told me they were well stowed forwards. I gave two strokes at the bulkhead with the crow. One of the crew, whom the rest called Corbit, by his voice I judge, said [2] that was all they wanted.[3] Five or six blows made a hole in the bulkhead, so as we could see them and they us. Lieutenant crawled along forward.[4] As soon as the prisoners see him they in general threatned him with death. And one of 'em, whom the rest called Corbit, said, Mister lieutenant, I will kill you first, *and you may be sure of death, if you don't go about your business*, and at the same time presented a musquet at Mr. Panton. Others of the prisoners within presented a fish gig, harpoon and axe at the lieutenant,[5] without the least abuse from that gentleman, the lieutenant. I, seeing 'em present their weapons towards the lieutenant, was afraid they would kill him. I called out to 'em and desired 'em not to point their weapons to kill so good a gentleman as what that was, for he meant them no harm; and if you *do not leave off pointing your weapons at him, I will fire among you*, which by a rally I made upon them I drew them to my side, and I frequently presented my pistol to 'em. It is proper a man should preserve his own life. One of the prisoners, the rest called Ryan, was in the larboard wing with a fish gig in his hand. He hove it at me the length of his arms. Not doing the damage they would have him, Corbit cried out, kill the bugger, and accused him of cowardice for not doing it. Corbit ran to the larboard side where he, Ryan, was, and catched the staff in his hand, and he took hold of the staff and the grain came off. Upon Corbit's return to the other side, he took a musquet from another and snapped it at [6] one of the boat's crew three times [7]; then went to his own quarter again. The opening I made was so big that the wounded man came out. It was all down to a piece of a plank,[8] which Corbit

[1] "Who ordered him to go down and force open the bulkhead." *Supplementary notes.*

[2] "Called out, come on ye dogs." *Ib.*

[3] "To which Forbes answered he expected to get four or five dollars for the vessel yet." *Ib.*

[4] "Forbes contrived to knock down the bulkhead towards the larboard side. The brig's people all the time threatning to murder the lieutenant." *Ib.*

[5] "Swearing and repeating Corbit's threats without intermission." *Ib.*

[6] Sinclair is named in the *supplementary notes.*

[7] "And afterwards at Forbes, damning it for not going off." *Ib.*

[8] "About midships." *Ib.*

made several attempts to pull down, swearing at the same time he wanted room to the lieutenant.[1] One[2] of the boat's crew with me made two or three attempts to pull this plank down; but a musquet being presented at him by one of the prisoners he catched hold of it; but not being able to keep his grip, he flew over to the side where the lieutenant and the rest of the gentlemen were [and] took up a pistol. Corbit seeing that, dared him to fire. He told him he would, if he did not put his face back from the bulkhead. Fire if you dare,[3] I will kill the first of ye. Then I heard a pistol go off. Silley, who fired it, came over to my side. Lieutenant called out, but can't say what he said. He seemed to speak hot. Silley came over to my side with a loaded pistol in his hand. I know there was priming in it; thus I conclude was loaded. The prisoners after this were very hot, pushing their weapons at us. I called out to the lieutenant and said, *I must be obliged to fire to save my own life.* He called me by my name, and forbid me to fire more than *once*,[4] *or else I 'd have shot every man of them.* At the same time the lieutenant demanded Silley's pistol from him. Lieutenant thinks Silley as hot as I was. Blew out the priming and gave it to one of the boat's crew. The next thing I observed, two or three minutes after, was Corbit darting out a harpoon through the bulkhead, where the lieutenant used to sit. I did not see the lieutenant at that time. In a moment, as quick as possible, I heard a pistol go off. I don't know who fired it. The pistol was followed by a groaning in the hold among the prisoners. Corbit said, he was shot thro the shoulder, and lost the use of one of his arms. Ryan said the same afterwards. I advised 'em to come out and get our doctor, that they might not bleed to death. Corbit said he would not, that he would die there, and bleed to death. I advised Ryan to come out, and helped him out, with a pistol in my hand, cocked and [presented?], they with their weapons threatning to kill me if it came in. They admitted me to come to the bulkhead. One of the boat's crew came down and said that Mr. Panton was dead, the first I heard or tho't of it. I said to Corbit, you are the rascal that has killed that gentleman, and you 'll be hanged for it. He said he would kill me next, for he believed I was an officer of marines. I told him, let me be what I would, I would have the satisfaction of putting him in irons by[5] and by both legs. So I would, and if there had been twenty-five, I would

[1] "Mr. Panton hearing that said, aye, my lads!" *Supplementary notes.*
[2] Silley. *Ib.*
[3] "I will not go back." *Ib.* The speaker is, of course, Corbit.
[4] "Which Mr. Panton strictly forbid him to do upon his peril." *Ib.*
[5] A word omitted.

have put 'em all in. Ay, says he, you are master at arms. If I had known that, I would have killed you long ago.

Q. by Governour. Was the hole where the lieutenant was wide eno' for the lieutenant to get thro? I can't think it was. The largest breach was at the larboard side. A man might have got his head thro. I saw Corbit make a push with the harpoon, but could not see the lieutenant by reason of a trunk.

Q. by prisoner Corbit. How could you see when there was no light, the scuttles being down? There was no light among 'em, but we had lights, and the planks were all clear where we were. The light shone full upon them.

Q. by Mr. Otis. Had lieutenant a sword, or pistol, at the time he fell? To my knowledge, I never saw any weapon in his hand but a snuff box.

Q. Do you remember Corbit's requesting, intreating the lieutenant, to go about your business and stand off? They said, go about your business and stand off; their constant cry was, if we would not go about our business, they would kill.

Q. Did Corbit and the rest frequently say, he did not desire to hurt him, if he would go about his business? Not to my knowledge.

Q. Did you consider yourself as searching for goods, or as one of a press gang? When the lieutenant said, they were well stowed forward, I thought there were goods. I am not to be a judge of my officer's business. I imagine it was for seizing smugglers as well as anything else. I am not a judge whether lieutenant would have pressed them. The latter end they behaved so rough and turbulent that the lieutenant, I believe, would take some of 'em on board the *Rose*.

Q. Did you hear lieutenant say he would press 'em? I did not, that I remember.

Q. Did you frequently hear the prisoners declare, they would die before they would be impressed on board a man-of-war? I heard Corbit say, he would not go on board a man-of-war. At the time when he said he was wounded, he said he would die before he would go aboard a man-of-war. They said that all they had in the world was there, and they were defending it.

Q. Did you hear 'em say, they were in defence of their liberty? They might say so; I can't say I heard it. There were many words said that I don't remember.

Q. Was you in the fore peak? I never was there.

Q. Do you know of any uncustomable goods that were found in this fore peak by any of the party, or [in] any other part of the vessel? Not that ever was found to my knowledge.

Q. Did Corbit express great grief and concern when he was assured that the lieutenant was killed? No.

Q. by the Governour B[ernard]. Was it after Corbit knew of lieutenant's death that he said he would kill you? Yes.

Q. by Governour. Do you believe the prisoners heard the lieutenant forbid Silley and 'em to fire? I do.

Q. by Governour. Did you hear Corbit complain of the first pistol, and the answer? Yes. The ball missed Corbit, if there was one in it. Corbit said to lieutenant, see what your men have done. Well, says the lieutenant, come out, and you shall have what satisfaction you please.

Q. by Mr. Otis. Are you sure there was but one pistol discharged before the lieutenant fell? But one.

Q. by prisoner, to Mr. Bowen. Did the lieutenant draw his sword and thrust it down several times into the place where the prisoners were? No.

Q. by Otis to Bowen. Did you consider yourself with Mr. Panton as searching for goods, or as a press gang? *Ans.* As searching for goods. First I searched for men, and then for goods.

Q. Whether any of the party searched the fore peak for goods after the men were out? I don't know that they did. Peacock and Stanhope. No. We went on board the *Rose* before the men were out.

Q. to Bowen, Peacock and Stanhope. Did you hear 'em frequently say they did not want to hurt 'em if they 'd leave 'em? Bowen did; the other two did not.

Q. Mr. Bowen. I believe at different times I might hear 'em all say that [they] would kill, etc. Corbit said he would put his lamp out first, and the other might say to the same purpose. I believe some of the others did. It was not always said with the same voice. I can't tell who took the candle from the lieutenant. I am certain Corbit said he would shoot with gun loaden with slugs and primed, and they all joined in it. Pierce Fanning presented the musquet, but who the fish gig or, who cried fire, I can't say. I saw nobody have the musquet but Simms. The same man presented it at Sinclair and snapped it three times. *Corbit said he knew him to be a lieutenant.* Can't say that any other did. There was a noise.

Q. by Mr. Fitch. Whether Mr. Panton had sword, or pistol, or any arms while in the hold — main hold? He came down unarmed, without his sword. He took the pistol from Silley some time after, as mentioned before. Silley had loaded it, or it [might] have been another, for the lieutenant blew the priming out, and gave it to one of the crew. He had time to go from side to side between, for Mr. Panton called him to him.

Bowen see him take the pistol from Silley, but did not see him blow the priming out. Stanhope saw him with a sword at the scuttle, but not in the hold. I did not see him.

William Pettygrew. Physician. I saw the body before it was buried, soon after the vessel came up to the wharf. He came by his death, I suppose, by the wound he received in his neck, about three inches long and of a triangular figure; cut the carotid artery and jugular vein. I suppose three inches in depth. There are two jugular veins on each side of the neck.

Q. by me. Are the artery and vein three inches deep? I suppose it must have penetrated three inches, for the natural elasticity of the artery and vein would have given way.

Robert Brice, surgeon's mate. Knew the lieutenant. I saw him about half an hour before he died. His death, I apprehend, [was] occasioned by a triangular wound in the left side of his neck. It must have been the immediate occasion of his neck [death]. The two jugulars, on the left side, and the carotid artery were cut through. The wound went down in an oblique direction. There is an external and internal jugular vein. One could have known the wound by the instrument that gave it. There must have been force used in drawing it back, as the surface of the wound was lacerated.

James Silley, a private marine. I went on board the brig in the boat — the second boat. I was one that rowed. I went immediately down in the hold with Mr. Peacock and the master at arms. Mr. Panton ordered us to open the bulkhead.

Q. by Governour Bernard. Did you fire a pistol? Yes, I fired a pistol. The prisoners ordered us upon our peril not to approach the apartment; if we did, they would kill us. They 'd be the death of the first man that should attempt to break in there. The pistol I fired was loaded with powder only. It was given to me, I don't know by whom, for a pistol only with powder. I did not load it, and don't know [who did]. He don't know by whom it was given to 'em, but believe it was the master at arms. I fired it at the time when I was taking hold of the musquet that was presented thro the bulkhead. I don't know that I presented it at one any more than another. I had no reason for firing it, but in confusion, with no intention at all. I catched at the musquet, and fired at the same time with the other hand.

Q. How near was the mouth of your pistol to Corbit's face? I don't know. It must be very nigh him, I believe, by the explosion. Corbit said, this is not good usage. Mr. Panton said he would shew him the man when he came on board. Then a cartridge was given me by Sinclair, and I loaded the pistol again. The musquet

was pointed thro the bulkhead again. I seized it and kept it in my hand for above two minutes, but the prisoners got it from me, two of 'em. I soon went over to the larboard side where the master at arms was. The lieutenant demanded me to give him the pistol; accordingly I did. I then assisted the master at arms in breaking down more of the bulkhead with pretence of getting in. The prisoners then desired us to keep off upon their peril, for they would not be pressed. I remember Corbit very well. The others said, keep clear, gentlemen, at your peril, for we will not be pressed. Corbit then said, you lieutenant, stand clear; if you don't I 'll be the death of you. The lieutenant made answer, you may depend upon it, if you kill any one, you 'll be hanged for it. They, Corbit, then often attempted shoving thro with the harpoon, the whole of 'em desiring us to stand clear. Soon upon it I heard another pistol go off, and the cry of a man. Looking about I saw the people all going out of the hold, and no one there but I and the master at arms. Some time after Getsus [?] came out and said the lieutenant was dead. The prisoners said it was no such thing.

Q. Mr. Panton said he gave no orders to fire.

Q. by prisoners. Did we not tell 'em we wanted nothing but our liberty, and not to hurt any of their people? I heard some of them say, they wanted nothing but their liberty, and would hurt nobody if they did not hurt them.

Q. Whether some of the boat's crew did not say, if we did not come out they would blow our brains out, or shoot us? I believe there was words of the kind passed by both sides — a great deal of that.

Q. Did not I give the prisoner a piece of bread, and say that I wanted not to hurt him, or any man? Yes.

Q. by me. The lieutenant said he had a deputation to search, and would search there; that also the prisoners said there was no prohibited goods there.

Q. Did the lieutenant, or any of his party, search in any part of the main hold for prohibited goods? I did not see 'em.

Q. Did you apprehend your business was to search for prohibited goods or to impress men? I understood that I came on board in order to help Mr. Panton search for prohibited goods, or to impress men, as he gave orders.

John Bembridge.

Witnesses for the prisoners: Thomas Power, master; Hugh Hill, mate; John Roney and James McGlocklin, mariners, on board the *Pitt Packet.*

Dr. Green then read the following paper:

Some Notes on Piracy.

Few persons of the present day are aware how extensively piracy prevailed two centuries ago. There was no part of the high seas that was free from the depredation of roving robbers. At times they threatened towns on the coast, and at others they attacked ships on mid-ocean; and they seem to have followed their lawless pursuits at will. When caught, there was little delay in bringing them to trial and securing a conviction; and trivial technicality in forms played no part in reaching results. At times there were multiple executions, and in the community there was no morbid sentimentality shown for the miserable wretches. Not the least of their torture was sitting in the meeting-house on the Sunday before execution and listening to their own funeral sermons, when the minister told them what they might expect in the next world if they got their just dues. On June 30, 1704, six poor victims were hung, on the Boston side of the Charles River bank, for piracy and murder; and there was a great crowd to witness the tragedy. Among the spectators on this occasion was Chief-Justice Sewall, one of the judges of the Admiralty Court which had convicted the pirates, who did not think it beneath his dignity to be present. It was then considered a public duty to invest the scene of execution with as much awe as possible, and it was thought that official station would emphasize this feeling.

The following extract from "The Boston News-Letter," August 21, 1721, shows how in early times piratical craft, heavily manned and carrying many guns, sailed the high seas and pursued their unlawful calling. The vessel was taken somewhere in the Sargasso Sea, off the coast of Africa.

These are to Certifie all Persons concerned that on the 7th Day of May last, William Russel Master of the Ship Mary of Charlstown, in his Voyage from Madera to Surranam in the Lat. 22 Deg. and 27 N. and Long. 25 and 27 W. from London was taken by a Pirate Ship upwards of 50 Guns, Commanded by Capt. Roberts, about 300 Men, who robb'd him of part of his Cargo, and Forced away from him two of his Men, against his and their own consent, viz. Thomas Russel born in Lexintown near Charlstown and the other Thomas Winchol born in Portsmouth, New-Hampshire in New England.

I have been led to make these introductory remarks on account of a manuscript recently given to the Library by Mrs. William B. Rogers, eldest daughter and sole surviving child of Mr. James Savage, who was for more than sixty years a member of this Society and for fourteen years its President. It consists of an extract from a letter written by her uncle William Savage to her father, dated at Havana, December 31, 1818, giving an account of the capture by pirates of the ship *Emma Sophia*, off the Florida coast, of which vessel he was supercargo. Since the receipt of the paper from Mrs. Rogers I have found in the "Boston Daily Advertiser," February 3, 1819, a fuller version of the letter; and for that reason I here follow the copy as given in the newspaper. Anything that relates to Mr. Savage or his family will always be in order at these meetings. At the unveiling of his bust in this room, on April 12, 1906, Mr. Adams, the President, said that "with the single exception of Mr. Winthrop no member of the Society since its beginning has left upon it so deep and individual an impression" as Mr. Savage has.

The account appears on the second page of the Advertiser, under the heading of "Marine Journal," as follows: —

MEMORANDA.

☞The vessel mentioned in yesterday's paper, as having been plundered off Florida, is the Hamburgh ship *Emma Sophia*, Capt. Frahm — the supercargo is Mr. William Savage, of this town. It is stated in the Charleston papers that she is insured at Lloyd's.

We have been favoured with the following extract, giving further particulars:

Extract of a letter from a gentleman of this town, supercargo of the ship Emma Sophia, dated Havana, 31st Dec. 1818.

On Saturday 19th inst. between the Bahama Bank and Key Sal Bank we were boarded and taken possession of by a small schr. of about 30 tons, having one gun mounted on a pivot and 30 men. She manned us with twelve men, Spaniards, French, Germans and Americans, and carried us towards the Florida coast. Being arrived on the coast nearly opposite to Havana, the privateer went in shore to reconnoitre, and our ship lay off and on. Next morning she returned with two small vessels, a schooner and sloop. We then all four steered over the reef towards the small islands, and on Tuesday afternoon were brought to anchor in a little harbour

formed by the Florida isles and the Martyr's Reef, as snug a hole as buccaniers would wish. They had seen no papers, but those of the ship and the Manifest, but the latter was enough, and they asked not for invoices or bills of lading. As soon as we anchored, they threw off our boats, took off the hatches and began to plunder the cargo. They loaded their two small vessels and another that came in next morning, besides taking our valuables on board the pr vateer. Having filled their vessels with linens and nankins, we had still many left, for our ship was full when we sailed from Hamburgh. Till Wednesday noon, our cabin had been respected, but then they came below and took packages of laces, gold watches from the trunks and other valuable goods. Every man had a knife about a foot long, which they brandished, swearing they would have money or something more valuable, that was concealed, or they would kill every soul of us, and they particularly threatened me. I appealed to their captain, told him I was in fear of my life, and went with him on board his privateer. He said he had no command, the crew would do as they pleased, that I need entertain no fear of my life, but had better tell at once if any thing was concealed. I told him there was not. After my return to the ship towards night, the pirates left us for the first time, and we hoped they had done with us. But next morning another sch'r and sloop appeared in the offing, and the privateer and one of the loaded sloops went out to meet them. They all returned together, the privateer anchored, and a boat's crew came towards us. I attempted to go on board the privateer to see her captain, but was ordered back. When they came on board, they said they had come to find where the gold &c. was, and that if we would not tell, they would hang every man of us and burn the ship. Davis, the spokesman, drew his knife and swore, that every man should die, unless he found the money, and first he would hang the supercargo. He called for a rope, which he had brought on board, fitted with a hangman's noose, sent a man up to the mizen yard and rove it and brought the nook down — and one man held it, and another stood ready to hoist. Now, said Davis, tell me where is the money, where are your diamonds, or I will hang you this minute. In vain I repeated I had nothing more but my watch, which I offered and he refused. — Once more, said he, will you tell? I have nothing to tell, said I. On with the rope, said the villain, and hoist away. The fellow with the noose came towards me, and I sprang overboard. They took me up, after some time, apparently insensible. They took off all my cloaths, and laid me on my back on deck, naked as I was born, except having a blanket thrown over me. Here I laid five hours without moving hand or foot. Meanwhile they robbed us of every thing of the least value.

Against me they seemed to have a particular spite, stealing even the ring from my finger, and all my cloaths from my trunks which they sent on board the privateer.

At night they left us, but returned once or twice, for a few minutes, to see how I was. That night the privateer, with two or three of her convoy went to sea, and next morning, Christmas day, we got under way. — Having taken good notice of the courses steered in coming in, and keeping the lead constantly going, we found our way out to *blue water* without much difficulty, and next morning, 26th, arrived without further accident at Havana.

The privateer was, I think, fitted out from this island. The Captain is a Spaniard, a short man with a remarkable good face, that nobody would suspect to belong to such a gang. The Lieutenant is a Frenchman, a creole of St. Domingo, but called himself an Italian. The man they called Davis, who ordered me to be hanged, is the pilot or sailing master, and their boarding officer. He is an American, belongs to New-York, and was the worst man on board. He is a good looking fellow, something perhaps over the middle size, but the most brutal rascal I ever met. There was another American on board, only a common hand, being a drunkard. — Two negroes are all the residue of the gentlemen with whom I had much acquaintance.

The goods taken from us were upwards of fifty thousand dollars worth, and I have no doubt are landed on the coast of this Island. The neighborhood of Cuba will be troubled waters until our government shall seriously determine to put down this system of piracy.[1]

Akin to this subject it may be proper to record an incident which many years ago concerned myself, and might have been tragical in its result. In the month of February, 1854, it fell to my lot to sail out of Boston harbor for Malta, aboard the bark *Sylph*, of Liverpool, Nova Scotia. At that period vessels sailing under the English flag were known in this country as *lime-juicers*, so called because in the British navy the consumption of lime or lemon juice was enforced as an anti-scorbutic remedy. The only other passenger beside myself was Gen. William A. Aiken, now of Norwich, Connecticut. The vessel was in command of Captain Roberts, of Liverpool; and the first officer was Mr. Hicks, and the second officer, Mr. Wharton.

[1] The situation in the Spanish countries to the south of the United States at the time of this incident invited such acts, and the lawless acts of armed vessels fitted out in Baltimore and other ports to prey upon Spanish commerce may be held in part responsible.

According to my recollection there were eight in the forecastle, which number, together with the cook and steward, made up a complement of fourteen persons, all told, aboard the bark. The cook and steward were represented by a single person of African descent, who prided himself both on his hair and his cooking, as well as on his brotherly kinship to the self-styled rival of Jenny Lind, who was then called the "Black Swan" (Elizabeth Taylor Greenfield), a singer, well known in her day. His hair deserves a word of special note, as it was sometimes closely associated with his cooking, inasmuch as its elaborate dressing was done before a glass hanging just beside a stove in the cook's galley. He generally kept his long wool tightly furled in numerous curling papers that stood out from his head like spikes. On great occasions, such as Sundays and wonderful deliverances from storms, he used to unfurl his kinky locks which seemed ample enough then to fill a bushel basket.

After a delay of a week or ten days in the harbor, owing to head winds or inclement weather we set sail; and I remember well that the pilot, Fowler by name, as he was about to leave the vessel, throwing his leg over the bulwarks, said in his gruff voice to our skipper, "I will give you twenty-eight days to the Straits."

There is little to write about the trip on the Atlantic side of the voyage more than it was very monotonous, so much so that both Aiken and myself for some slight relief used occasionally to help the captain "take the sun" at noon, and in this way we both became more or less expert in navigation. It was also interesting to watch the sailors in their various duties and pleasures; and from them we learned to splice ropes and to tie fancy knots. We learned, too, the words of command in proper sequence, as given by the captain, when he ordered the men to tack ship or to wear ship, all which was of great interest to us. Occasionally in good weather we used to take our trick at the wheel in order to break the monotony of the voyage. Sometimes we would catch a porpoise, of which the liver would give us a taste of fresh meat and remind us of home. Off Cape Trafalgar we sailed over the waters which floated the English fleet when Nelson fought his famous fight. I recollect the first glimpse we had of Cape Spartel, a point of land in the northwest corner of the African continent,

overlooking the Straits, which we made early in the morning of March 16, my birthday. With a head-wind it took two days to beat into the Mediterranean, where we had many calms and much bad weather. At one time we came near being wrecked in a gale off Cape de Gata on the southern coast of Spain, but generally we were cruising along the north coast of Africa, within a few leagues of land, as our sailing course was dependent upon the wind. At times we could see buildings and villages on the shore, and then would sink them behind as we sailed away.

The incident to which I have already alluded, occurred in the latter part of March, off Cape Tres Forcas on the Barbary Coast. One afternoon, as we were sailing along at low speed with little wind, two or three leagues from land, we spied two lateen-rigged feluccas, apparently following us, which at first sight attracted but little attention. Captain Roberts soon became suspicious of their movements and watched them closely, as they were gaining on us. We were going hardly more than two or three knots an hour, having little more than steering way, but they spreading much sail were faster. The captain soon gave orders to have an inventory taken of the firearms on board that could be used in case of need, but these were found to be few in number and in poor condition. The cook was ordered to heat as much boiling water as his small galley would allow, to be ready to repel any attempt to board the vessel. There was great excitement on the bark, and we fully expected to be attacked, but fortunately for us

The shades of night were falling fast,

and soon the sun went down. We then changed our course a point or two and threw a sail over the binnacle light so that the suspected pirates could not follow us; and thus we escaped what might have been a tragedy.

After our arrival at Malta we learned that three vessels had been taken by the Riff pirates, as they were called, near the time when we were threatened, and near the same point of land. Without doubt the captors belonged to the same crew as those that followed us. We were on the Mediterranean Sea at the time when the Crimean War broke out, England having declared war on March 28. This new condition of public affairs

caused great confusion in the movement of steamers and in transportation generally, as steamships were much needed for military purposes; on which account my stay at Malta was somewhat prolonged. During this time I saw a good deal of the American consul, Mr. William Winthrop, who was a kinsman of our former President, Mr. Winthrop, and at a later period a Corresponding Member of this Society. At the regular monthly meeting held on November 8, 1882, Mr. Robert C. Winthrop, Jr., paid a handsome tribute to the consul, on the occasion of the Society's receiving a liberal bequest from him. He ended his remarks by saying of him: "He took a pride, however, in being a Corresponding Member, — the only one in nearly a century who, so far as I am aware, ever left the Society a dollar, and I much fear that, in this respect, he is likely long to remain unique."

William Winthrop was a son of James Andrews, merchant of Boston, and Sarah Winthrop, a descendant in the sixth generation from Governor John Winthrop. On March 25, 1845, the name of William Winthrop Andrews was changed by legislative enactment so that he dropped his father's surname and took the maiden name of his mother. He was appointed United States Consul at Malta, October 7, 1834, and died at his post on July 3, 1869, in the 61st year of his age. A biographical notice of Mr. Winthrop appears in *The New-England Historical and Genealogical Register*, XXV. 92.

Remarks were made during the meeting by Messrs. LANE, HAYNES, NORCROSS, SANBORN, RANTOUL, MEAD, and W. R. LIVERMORE.

MEMOIR

OF

REV. ELIJAH WINCHESTER DONALD, D.D.

BY HENRY WILLIAMSON HAYNES

ELIJAH WINCHESTER DONALD, the son of William Cooper and Agnes J. (Smart) Donald, was born in Andover, Massachusetts, July 31, 1848. His ancestors on both sides, except his father and mother, lived and died in Forfarshire, Scotland. They were nearly all yeomen and were not especially distinguished except for honesty and integrity. His father, who was long engaged in business in Andover as a manufacturer, was a man of deep religious sentiment, devotedly attached to the Congregational Church in that town. Once, when asked how it happened that his son, brought up strictly in the tenets of that denomination, should have become an Episcopalian, he answered, "His mother and I dedicated him to the ministry, but we neglected to designate the denomination." His mother was a woman of marked character, and exerted a great influence upon all her family. His brother says of her: "She was determined that her children should be well educated and well brought up, and it was not so easy in those days to get to college as it is now. I do not believe that my brother would ever have seen Amherst College, or become a minister, if it had not been for his mother's influence, diplomacy, and tireless energy and persistence." His friend, the late Dr. William R. Huntington, says of him that "by the accident of birth he was a New Englander, and to the day of his death a loyal one; but by all that differences one sort of countryman from another he must be rated a North Briton." In a marked degree he combined the power of the Puritan conscience with the Scotch tenacity of purpose. In May, 1864, when he was sixteen years of age, he joined the Free Christian Church in Andover. As he was passionately fond of music, he was invited, one Lent, to sing

in the choir of the Episcopal Church, and thus became interested in its constitution and ritual; but as he feared it might displease his father, he did not join it until in the latter half of his college course, when he became a communicant of Grace Church, Amherst. Once, when speaking of the different training of men and their previous church affiliations, he remarked that "what the Episcopal Church needs is to have men bring their Congregationalism into it with them."

Dr. Donald was prepared for college at the Punchard Free School in his native town and joined the Class of 1869 at Amherst College. Always devotedly attached to his college, he served her in many ways, and by her officers and graduates he was loved and deeply trusted. At the time of his death he was president of the Alumni Association, and from 1887 until then he had been a member of the Board of Trustees. He was always proud of the fact that he was the first Episcopalian clergyman to receive from her, in 1866, the honorary degree of Doctor of Divinity, which was also conferred upon him, in 1897, by the University of Western Pennsylvania.

The first year after graduating he became principal of the high school at Belchertown, Massachusetts, and the next year he was teacher of the classics in a preparatory school for boys at Newport, Rhode Island. As a teacher, he had more than temporary success. Some of his pupils bore witness in later years to the permanent influence he had exerted in their lives.

In 1871 he began the study of theology at the Protestant Episcopal Divinity School, West Philadelphia, Pennsylvania; but after a year he transferred himself to the Union Theological Seminary, New York city, where he graduated in 1874. In May of that year he was ordained deacon, and in October 17, 1875, priest, in the Protestant Episcopal Church.

His life, after he entered the ministry, naturally divides itself into two periods, — the one from 1874 to 1892, when he lived in New York, and the other from 1892 to 1904, when he lived in Boston.

For about a year he was curate at the Church of the Ascension, on Fifth Avenue, New York, under the late Rev. Dr. John Cotton Smith; and in 1876 he was made rector of an important parish at Washington Heights, New York, the Church of the Intercession, where he remained until 1882. His success

there was very marked, and he succeeded in greatly reducing the large debt by which the parish had been incumbered. On the death of Dr. Smith, in 1882, he was called to be rector of his former Church of the Ascension, where he remained for ten years. Of his work there I will quote again from the tribute paid to him by the late Dr. Huntington, his friend and neighbor in the ministry: "One of the most interesting features of Dr. Donald's New York ministry was what we may call its outreaching character. He succeeded in establishing close relations with people of a class which the average minister seldom so much as touches. This was the more remarkable because the Ascension was not at that time, what it has since become, a church with free and open sittings. What his methods may have been I do not know; but this I do know that somehow there was gathered round about the compact body of his parishioners proper a wide fringe of detached, or semi-detached, adherents, who loved him dearly and would have followed him anywhither. He was a sort of Apostle to the Latin Quarter. Young men of business, strangers in the great city, struggling artists, budding journalists, — I venture to say that the young rector of the Ascension had more of these, and the like of these, under his wing, than any other pastor, certainly any other pastor of our communion, in New York. It was not so much his oratory, his eloquence, that attracted them, though that was a powerful magnet; it was his virility, his downright sincerity, his insight into their needs. Here is a man, they said, who will let us know what he really thinks about these questions that are vexing our souls. One who understands us, who will not be hard upon our infirmities, or chastise with scorpions our shortcomings. And so it was that the young rector came to have an exceedingly good report of them that were without. Bohemia heard him gladly. Let it not be supposed for a moment that this popularity with the people, whom most ministers of religion fail to reach, was won by any lowering of the standards. Far from it. His preaching and his teaching were ethical, unmistakably ethical, to the core. His counsels were ever the counsels of perfection. But to help men ethically, we must know men personally; if we would mend them, we must meet them. This is what he sought to do and did. . . . Listen to two witnesses, whose agreement is the more remarkable because

neither of them knew that the other was to be put upon the stand. This is what a former assistant writes, — and remember that a rector is not always a hero to his curates: 'He had a genius for getting *en rapport* with the unsettled and the discouraged, and for steadying dizzy eyes. This power of his used to impress me greatly when I was with him at the Ascension. . . . Again and again would I see some one, a very picture of gloom, go in for an interview with him, and in half an hour reappear, the shadows all gone, and hope and a new will put in their place.' And this is what another, now a university professor, has to say: 'His very great love for young men, his sympathetic appreciation of their difficulties, untouched by any taint of sentimentality, and his untiring and unselfish devotion to their interests, when once they had gained his confidence, always impressed me, linked as this was with a winning sincerity such as I have known in no other person. He seemed to give himself not only spiritually but also physically to those whom he comforted. It often seemed to me that he actually changed places with them. I have seen stricken people leave him not only comforted but with a certain bodily elation, and have found him prostrated in his study.' This testimony of two men is true; and very wonderful testimony it is. The cure of souls does not often take so much out of a man as it exacted of this keenly sensitive though seemingly defiant nature."

On December 18, 1892, he succeeded the late Bishop Phillips Brooks, as rector of Trinity Church, Boston. To be the successor of so remarkable a man was a heroic task, which no one could have undertaken lightly; and he reached the decision so to do only after much hesitation. He came and he toiled in the spirit of willing sacrifice. In his sermon, preached February 14, 1897, on the twentieth anniversary of the consecration of the church, he said: "One of the most sagacious of our clergy, who knows Massachusetts well, wrote to me, 'Whoever goes to Trinity Church goes to certain crucifixion.' I am glad to say that he was mistaken. I have had much consideration and much encouragement. I dare to believe that I have won the love of many little children, and the good will of several men and women. Who could ask for more than that?" Of his predecessor he says in the same sermon: "The Episcopal Church in America has been more accurately and more winsomely pre-

sented to our people all over the land by Phillips Brooks than by any other man of this generation. The years as they go by only reveal more clearly how great were his services to our Church, *simply as an ecclesiasticism.* He made it American in its essential character, and stripped it of the last remaining semblance of an exotic. The presence in the Episcopal Church of multitudes of the descendants of the old Puritans does not mean the repudiation of the Puritan principles or the Puritan spirit; it signifies, rather, the reasonable abandonment of the Puritan polity, temporarily adopted for political reasons, and a return to the venerable body in which the Puritan was born and out of which he came." And he ends with this glowing and heartfelt tribute to him: "O strong, true prophet of our God! a million men are blessing thee for their redemption, through the power of Christ made manifest in thee, from the darkness of unbelief, from the freezing air that blows off from the icily perfect and coldly dead abstractions of the past. O strong and gentle friend of our humanity! who didst make brotherhood real and beautiful by thy unfailing friendships, thy noble magnanimities, thy perpetual benedictions and thy unfaltering trust in man. We, who remain in the old places a little longer, are praying that God may give us grace to live as thou didst in the light that shineth from the face of Jesus Christ."

Dr. Donald brought to his work in Boston an almost apostolic zeal and a great executive and directive force that manifested itself in many ways, such as the erection of the beautiful Galilee porch on the west front of Trinity; the completion of the chancel arrangements for a boy choir; the connection of the organ there with the great organ in the gallery, thus making of the whole one of the finest church instruments in the country; and the extinguishment of the debt that had rested for many years upon the rectory. Dr. Huntington says of his success in his new office, "It was of a quality not easily estimated on the surface. None the less was it a success of a high order. For ten years he maintained himself in his difficult position. His congregations were large, the number of communicants undiminished. Where he was pre-eminently successful was in his large and subtle power of sympathy. That tendency in him to sympathize with the weaker party in the fight, to champion the unpopular cause or befriend the unpopular man,

was multiplied fourfold in its application to human misery of any kind. For that he will be long and tenderly remembered."

His effectiveness as a preacher, combined with his interest in young men and the influence he exerted upon them, led to many demands for his service from universities and colleges. Thus he was on the board of preachers at Harvard from 1892 to 1896. He preached often at Yale, Amherst, Columbia, Trinity College and the Institute of Technology, in this city. He had an annual appointment at Cornell, in which he took great delight. In 1903 he spent three weeks at the University of Chicago, officiating as chaplain and giving lectures.

The Episcopal Church in Massachusetts conferred high honors upon him. Soon after coming to Boston he was made a member of the standing committee of the diocese, and in 1903 he became its president, holding this office at the time of his death, as well as that of delegate from Massachusetts to the General Convention. He had been made one of the trustees of the Cathedral of St. John the Divine in New York city while he was rector of Ascension Church, an appointment in which he took pride and interest, and his knowledge of church architecture enabled him to render substantial assistance in determining the choice of a plan. From 1900 until his death he was a trustee of Abbot Academy in his native town.

The impression he made upon the community in which he lived is reflected in an article that appeared in a leading Boston journal in a series describing "Famous People at Home": "Dr. Donald is charming in personal contact; full of graceful courtesy of speech and manner, humble really to all men who approach him with or without reason; patient, helpful, unconscious. The increasing use of his position makes his self-effacement in his ministrations more complete. He has always read the liturgy of his church with simple and unaffected dignity, and his sermons are increasing in power and in restraint." His thought was marked by such a powerful individualism and he was so outspoken in manner and word that he sometimes lacked in prudence and gave offence. Thus, in New York, at a moment when party feeling ran high he created surprise and distrust by his courageous defence of Tammany, growing out of his strong belief in the benefits of party organization. "His courage was superb," says Dr. Huntington; "it led him to defy deep-

seated prejudices and even convictions which were esteemed sacred by many. Thus, when the General Convention was in session at San Francisco, in 1901, he dared to speak his mind on the subject of 'Apostolic Succession' to the dismay and horror of many of the delegates. His action in throwing open Trinity Church to another religious body on the occasion of the funeral of Governor Wolcott was a courageous one, for it meant hostility and bitter criticism. Of this he was well aware when he decided to take the step. So at a meeting of the Church Congress, in Providence, he manifested sympathy with some of the tenets of Christian Science."

In his theology he would be classed as a Broad Churchman, but he differed from many who are grouped under that designation. His breadth consisted in his wide sympathy with all Christian bodies; this compelled him to reject every principle whose significance lay in limitations or exclusiveness. He had what is sometimes called "modernity"; he looked at every question from the point of view of the modern man, to whose cultivation the present age has contributed its essential quota.

In 1896 he delivered a course of six lectures before the Lowell Institute, which were afterwards published under the title of "The Expansion of Religion." This is the principal literary work he has left, although some thirty or more of his occasional addresses and sermons have been printed. In the preface he says that "these lectures do not claim to be original, eloquent, erudite, or academic. They are the record of a working clergyman's sober thinking upon a subject, profound interest in which is coterminous with the life of man. As such a record only they are offered to the public." I think I can give in no better way a complete setting forth of the man's whole nature, his intellectual qualities, the style of his thought, his beliefs and his sympathies, his hopes and his aspirations, than by allowing him to speak for himself. I will accordingly attempt to give a somewhat extended summary of the contents of the six chapters that make up the substance of the volume.

Chapter I. *Religion and Salvation.*

He begins by claiming that religion is "no longer regarded as the sole possession of organization and formal statement;

it is rather an atmosphere in which the healthy life of man is most successfully lived. . . . Judge Sewall knew where Religion began and where it ended in the social and personal life of the seventeenth century. It began with a correct notion and ended in correct conduct. . . . The expansion of religion was unthinkable two hundred years ago. . . . What has been aptly termed the 'theological thaw' of the last quarter of a century is too frequently set down as decisive of the melting out from the spiritual life of the community of the imperative sanctions of duty. . . . It is not misrepresentative of our time to describe it as unreasonably despondent about the present prospects of religion." . . . But his belief is that "what may still be regarded in some quarters as an evidence of decay ought really to be seen to be the mark of vitality." He defines religion as "the soul's instinctive, fundamental, ineradicable feeling or conviction that it stands in a real relation to Deity, and that this relation is capable of conscious and continuous realization by action, — the adoration of an idol, the burning of a beast, the offering of a prayer." . . . He speaks "not as an apologist of a decaying, but as the interpreter of an expanding force. . . . In its conception of the nature of God, Religion has witnessed a marvellous expansion in the last half of the nineteenth century. It has developed marvellously the idea of love, not only as an amiable quality, but as a magnificent force. . . . The prolonged emphasis that accents the doctrine of the Fatherhood of God . . . has perhaps obscured its real importance as a distinct addition to the idea of God, to which modern times have attained. . . . With the expansion of Religion into a confident conception of God as our Father, the appeal to fear has ceased in many quarters, and has been almost hushed in all. . . . It ought not to be regarded as strange that the old insistence upon the certainty of vengeance, uttering itself in endless torture of the wicked, should die away. . . . If anything may be safely affirmed . . . it is that conscience testifies to the reality of sin, as the result of self-determination, with all the rigor and unpitying sternness which have characterized its operations from the day in which the first liar uttered his lie and knew his soul was stained. . . . Equally characteristic is the complete freedom of the intellect in its search for truth. The sole authority in Religion is truth demonstrated,

fact verified. And there can be no other. For if men accept any 'outward authority' in Religion, as in science, or art, or government, it is only because that authority has proved itself competent by the character of the truth and fact for which it vouches . . . The decline of the principle of arbitrary authority is not simply coincident with the expansion of Religion, it is distinctly its creation. . . . Christianity is identical with all Religions in its purpose to bring man and God together. But to Religion to-day Salvation means the saving of all in a human being which is capable of being saved. The Expansion of Religion is best observed in all those enterprises which seek to furnish a ministry to every faculty of man, . . . all are symptoms of a religious purpose . . . to secure to man the condition under which all that is best in him shall have the best chance to be at its best. Salvation must be expanded to meet the requirements of the larger man to be saved."

CHAPTER II. *The New Anthropology.*

"It would be difficult to exaggerate the difference in the estimates put upon the value of a human life in our day and in times past. A high value is set upon the worth of a human being. Instead of sacrificing him for the sake of organization, — State, Church, Society, or Order, all these exist to create and secure to him the conditions under which he may have the chance to live what he conceives to be his fullest life. . . . The building of the Pyramids attests the carelessly slight value set upon a thinking, feeling human being, made in the image of God. . . . The plain fact of history is that the lower the estimate put upon man the lower we shall find the conception of the nature of God to be. . . . Religion is the source of all these endeavors which are seeking the reformation of human society, because Religion is the source of that new value given to man, which makes saving him seem worth while. . . . The first evidence of this is the establishment of the hospital. It was not until the fourth century, when Christianity had become a power, that the first hospital was founded. These, in connection with ecclesiastical institutions, grew apace, until at the beginning of the last century they became a fixed feature of municipal and military life. But it was reserved for the last

two generations to develop the hospital idea. The expansion of Religion, on that side of it which regards the human body, precedes and inexorably conditions the expansion of the hospital to meet the needs of suffering. . . . I find also that sanitary science is under larger obligations to Religion than appears upon the surface. This is to be seen wherever legitimately selfish intelligence and competitive urgency demand it; but in another direction sets the religious spirit; this demands that the ignorant poor shall share with the intelligent rich in the benefits of sanitary science. This movement, however non-religious it may appear here and there, is at heart religious, Christian as well. . . . Men and women, who perhaps repudiate orthodoxy of every sort, have found in their devotion to their brother's need the surest warrant for our believing that deep in their hearts was a truer Religion than that illustrated in a scrupulous ritual. . . . I cannot, and will not believe that Religion is decaying, so long as vigorous warfare is waged against everything which lowers respect for the bodies, which are the temples of the Holy Ghost." . . . Again he says: "the astonishing increase of physical exercise has to many minds frequently worn the look of a logical consequence of the so-called materialism of the day. But such a judgment overlooks several considerations which have to do with Religion. So far from physical culture being a sign of decaying spirituality it is rather the as yet unconscious but none the less true insistence upon the indubitable fact that ministry to the body is as truly an act of Religion as ministry to the soul. It is characteristic of our times that we are trying to lift the passion for the body's development clean out of the idea of it as valuable mainly for making a nation of vigorous soldiers and muscular toilers, and are setting it forth as an integral part of the idea of the perfect man. The new anthropology, by insisting upon the sacredness of the body as the instrument of the mind, and upon the mind as the servant of the spirit, and further by declaring that the salvation of each is essential to the salvation of the total man, for which Religion exists, will soonest and surest elevate physical culture to its rightful place in the economy of education." Again he says: "The relation of the new anthropology to the use of Sunday must not be ignored. The present use of Sunday is widely regarded as a revolt against ancient Sabbatarianism,

and equally a revolt against Religion as a force regulating both belief and conduct. It would be far truer to interpret the modern Sunday as a return to what was most characteristic of the Levitical doctrine of the Sabbath, and a fulfilment of what is in the Christian doctrine of Sunday. The Fourth Commandment legislates not against recreation or amusement, but against toil. By it there is an absolute prohibition laid upon all sorts of work by every sort of people. It is utterly to mistake the meaning of that still powerful, still beneficent institution to regard it as an exasperating restriction laid upon the happiness and freedom of man. Our modern Sunday, with its emphasis upon recreation, so far from being a revolt from Sabbatarianism, is demonstrably a return to it. Of the true significance of the emancipation of our modern Sunday from gloom, depression and an irrational prohibition of recreation, there *ought* to be no doubt. It is the product of the new anthropology. Doing nothing is not rest; it is indolence. Rest is activity in recreation. We have, accordingly, opened the doors of Museum and Library. We have deliberately enlarged the number of permitted pleasures, because we have intelligently concluded that whatever ministers to the physical betterment of man is a legitimate ministry to his soul as well. . . . Disuse of public worship is more general than it was a quarter of a century ago. A period of 'masterly inactivity' in nearly all forms of enterprising religious endeavor ensues. . . . Superficially viewed, the American Sunday is not pleasant. . . . We are experimenting; but disuse of the church seems now, at least, to be unattended by serious loss of moral force in communities and men. . . . The modern Sunday is imperfect, but that imperfectness will not be corrected by prohibiting recreation but by restraining its present excess. To-day's treatment of Sunday is not final. The very fact that what it is to-day in larger freedom from ancient and venerated restraints is due to Religion, is ample warrant for believing that Religion is competent to recast Sunday. . . . It is this new anthropology, also, which has set sickness in a new light. I know nothing more hopeful in the sentiment of young men touching the whole question of athletics than their clear perception and their frank declaration that ill health in a young man, who starts out with no hereditary or constitutional weakness, is a disgrace

and not a misfortune. When physical exercise was made a compulsory part of education at Amherst thirty years ago, ranking in importance with the study of Greek and Mathematics, it was, and was intended to be, a bold denial of the opinion that a student's health was at the mercy of Divine Providence; an assertion of the truth that health is in part a religious achievement. The adoption of similar systems elsewhere has resulted in incalculable good. . . . When one looks back fifty years and contrasts the nature of the effort Religion made to save man with the passionate efforts she is making now, he cannot think Religion has decayed. . . . In America Religion is everywhere, — almost as much of it outside as inside the churches, — independent of visible means of spiritual support, yet always eager to do what Religion lives to accomplish."

Chapter III. *Religion and Righteousness.*

"Religion and science have never needed any reconciliation, and never will; because each of them is in search of truth; and just in proportion as each of them finds her they will be in agreement. Organized Religion has markedly receded from many a position of open and sometimes bitter opposition to the discoveries and theories of men of science. The hypothesis of Evolution may or may not prove true, but the attitude of Organized Religion towards it to-day, in contrast with the frightened, panicky condemnation both of it and of those who urged it, a quarter of a century ago, is grateful evidence that Religion has grown calm; has regained confidence in herself, as in no danger from the new interpretation of herself, which evolutionary theories may require or have already effected. But, on the other hand, the spirit and temper of science have changed more radically even than those of Organized Religion. . . . Religion is frankly recognized as the formulation of a force just as real and just as persistent as that of which gravitation is the scientific name. Religion, as distinguished from Theology and Ecclesiasticism, is as much an object of serious and intelligent interest to men of Science as to men of Religion; which has enlarged itself to receive the help which science furnishes in the form of knowledge. . . . The incorporation of the eco-

nomic value of righteousness into the estimate put upon its spiritual value is one of the most marked features of the time. . . . To think of righteousness as no more than a beautiful and useful quality of those who put themselves under the guidance of God in order that they may gain and keep it, the reward of which is jealously reserved in heaven, is to miss its true glory and no less its immediate and solid worth. Unrighteousness is waste, — waste of men, waste of energy, waste of the public trust. . . . It is becoming clear that the material welfare of the city is as truly in the custody of Religion as in that of industry and trade; and she has once more found herself entrusted with a message. You cannot build up a society or a state, ordered, free, prosperous and safe, unless you build it upon righteousness, the product of a profound belief in God. This discovered genius for enforcing the value of godliness to human society and government is one of the most characteristic marks of the expansion of religion. . . . The old question whether Religion should have anything to do with politics ceases to be a question, for politics is religion, and religion is politics, by virtue of the identity of their ideal struggle to produce political righteousness; which is conformity to what is right, that is, what is good. But to know what is right or good is not the simple affair it promises at the start to be. The ruin of Israel was not wrought by her failure to perceive the necessity of righteousness, but by her failure to understand exactly what it was. Christianity started out with the clearest possible perception of the fatal error in Jewish righteousness. Goodness cometh not by the way of the understanding; it cometh by the way of the heart. Not the man who understands, but the man who does, possesses the secret of the Lord. . . . One of the evil results of an otherwise beneficent evangelicalism was her too heavily emphasized doctrine of justification by faith; meaning that it is far more important that a particular doctrine should be believed and acted upon than that the conduct should square with eternal right. Salvation was interpreted as the conscious possession of *pardon of sin;* and as the conviction that this pardon would stay throughout the longest life, warranting its hope of entrance into heaven. The tendency to substitute doctrinal correctness and demonstrative emotion for inward righteousness has characterized religion for nigh a

century. Now, Religion has begun to discover her blunder or her sin, and to set herself once more in her rightful place as the teacher of doctrine for the sake of righteousness. Insistence upon real righteousness is now everywhere the character mark of living Religion. The real explanation of the present passion of Religion for righteousness is not the decay of theology, but of the theological temper. To speak particularly of the Christian Church. It holds that Baptism and the Lord's Supper are *necessary to salvation*. But Baptism is not a magical rite; it is the symbol of *entrance into a chance* 'to live a godly life.' It is 'necessary to salvation' only in the sense that to possess a chance to be virtuously brought up is necessary to the development of personal righteousness; which is salvation. The Lord's Supper is necessary to salvation only because through it and by it the reverent soul receives a Divine strength, which it is to transmute into personal righteousness, which is salvation; and that is possible only as man knows, obeys and loves a righteous God. . . . Religion has by no means thoroughly finished her work of discriminating between real and conventional righteousness. . . . There are no more misleading terms in use to-day than 'criminal classes,' 'vicious classes.' Religion must include in the criminal class that not inconsiderable number of respected, though not respectable, men, who break law in gentlemanly fashion, by methods not one whit more honest than the burglar's, and tenfold more destructive to the security of society. But there are signs in our moral sky that the expansion of religion in the direction of ethical clairvoyance will not always tolerate this confusion. And so of the vicious class. Religion is asking whence comes the material support of the dreadful vice which festers in all our great cities. There will surely come a day of reckoning between the so-called vicious classes and those who, preserving their respectability, have helped to support vice. The expansion of religion is in very truth the hope of the future. The public safety — safety for goods, for persons, for laws, for rights, for privileges — lies in the moral quality of the people produced by a Religion that holds up for the people's reverence a moral as truly as a loving God."

Chapter IV. *Religion and Industrialism.*

"Within the last quarter of a century there has grown up a class of problems and a series of movements, which are rather loosely included under the name of Industrialism. These problems are made up of questions touching wages, hours of work, conditions of labor and distribution. . . . What pre-eminently characterizes labor unions now is their clear perception and strong conviction that the interests of all labor, whatever be its special form, are one; and the present 'Solidarity of Labor' has created what is called Industrialism. . . . The surprises and checks which may at any moment rise out of organized labor, are illustrations of the interdependence of labor in modern times. When extended to the industries of the whole country, we can understand the colossal proportions of this new figure, which has risen up in sturdy strength among the movements of the end of the last century. Moreover we must reckon in the consolidation of the world's markets. Any sort of production anywhere affects every sort of production everywhere. The industrial world is now one huge workshop and all parts are interdependent. Again, the great industrial centres and the methods of regular and rapid transportation are all of recent origin. . . . Still, multitudes of people refuse to believe that Industrialism presents any specially critical problems for civilization to solve. But they exist in force, and the importance conceded to them is not too great. So much real distress, so much blind revolt, so frightfully huge losses, and so much bitter conflict, must mean the existence in the midst of us of a deep-seated trouble. In other words, we must reckon with Industrialism. Now, labor urges against civilization that it is unjust in these three respects: first, it metes out to labor an insufficient wage; second, it compels too long hours; and third, it insists upon an inequitable distribution of the products of labor. These results, it claims, are the outcome of a condition which civilization has created deliberately or unconsciously, and which civilization is unwilling to change. The working-man denounces society as unjust, cruel and sordid; and capital cries: 'What can I do other than what I am doing? I did not create the law of supply and demand. I did not inaugurate competition.

Society, not I, is responsible for them.' Each disclaims any share in creating or perpetuating the conditions which labor pronounces to be unjust. . . . Let us examine the charges Industrialism urges against civilization. *Its wages are too low.* If by this is meant that wages are less than wage-earners would like them to be, we are all agreed. But the real question is 'How much can the fund out of which all wages are paid devote to the compensation of labor without exhausting itself?' Before civilization can say how much wages *should* be paid, science must first show us how much *can* be paid without fatal injury to the industry itself. Civilization, as such, is absolutely powerless to raise and equally powerless to lower the wages of any man. That act is performed by another aggregation of forces. If it is urged that civilization should promptly accept the precisely stated conclusions of political economy touching the regulation of wages by legislation, we are sadly obliged to confess that there are no such conclusions. It has to-day no accepted theory of regulating wages by arbitrary enactment. It is obliged to admit that the law of supply and demand is the only law according to which the business of the world can be conducted. . . . The labor unions have had, and in the future will have, a powerful influence in securing better wages, but only because 'combinations can make better terms than the individual.' . . . But labor unionism itself is an industrial factor to be treated like other factors, such as the currency, the tariff and the cost of living. Secondly, it is charged that *civilization decrees long hours to wage-earners.* 'Long' as applied to hours is altogether indefinite. Eighty years ago men worked ninety, and in some instances and countries, one hundred hours a week. To-day the average number of hours for adults is fifty-three. But the working-man and the political economist have agitated for a fixed number of working hours. First, for a ten-hour law, then a nine-hour, and finally for an eight-hour law. Beyond eight hours no one has thus far proposed to go. . . . On the whole the economical results of shorter working-days during the last fifty years have vindicated the reduction. The question of to-day is simply whether, under general industrial conditions, another reduction of hours can be made with safety to any dividends or profits at all, and with safety to wages. It is once more a problem in economics. . . . In the

third place, Industrialism charges civilization with *the responsibility of maintaining an inequitable distribution of labor's produce.* But it ought first to be ascertained how much of all that is produced by the only three producers known to political economy, — land, capital and labor, — is directly due to labor. Now rent, now interest and now wages seems the rightful claimant to the lion's share. Labor, however, has recently made the claim that *it* produces the whole of it; and if it could substantiate that claim, it would get the whole of it. The great practical truth, which is slowly emerging, seems to be this: that the action of none of the three producers should ever be dampened or checked in such a way as to diminish their productive efficiency; either by interfering with their freedom, or by so diminishing their rewards as to diminish the vigor which they themselves exert. . . . The examination of the threefold indictment of civilization has thus far been conducted on economic lines. I wished completely to separate the work of political economy from the task of Religion, in order the more clearly to set forth the powerful influence which Religion, expanded to the new needs of the new day, is destined to exert in determining the solution of the problem of Industrialism. It is the confusion of the offices of each which has brought political economy into contempt, and Religion into distrust; not seldom into disrepute. It is significant that Religion has at last roused itself to a consciousness that it has a duty towards Industrialism. The Institutional Church, of which we hear so much, and are destined to hear more, finds a place for the study of all those industrial questions which touch the real life of man. And yet Religion was never so blamed as to-day for withholding her influence and her effort from the cause of the working-man. In the first place, Religion is identified with Ecclesiasticism, and the behavior of the churches is naturally charged to Religion. But Religion, which only imperfectly utters itself through the churches, is always in the forefront of the battle waged against injustice and wrong. The moment Religion is differentiated from the churches, which it created as organs for the utterance of itself, half the charge that Religion is on the side of privilege and the present social order falls to the ground. In the second place, Religion is denounced as hostile to industrial conditions, because it does not commit

itself to all the plans of relief which Industrialism or Political Economy has proposed. It is the business of Religion to side boldly and vigorously with the wronged, the oppressed, — there can be doubt of that; but first of all it is necessary to ascertain who are the wronged and oppressed, and where lies the cause of the wrong and oppression. No strike has ever been caused by the purely economical question of wages, hours, or distribution alone; into every strike there enters the angry or sad dislike of the working-man, the hard, suspicious dread of the employer. But no industrial problem will ever be satisfactorily or peacefully solved, unless there is love enough to create the patience, forbearance, consideration and conciliation necessary to hear and understand the truth. 'Love one another,' which is the sacred watchword of Religion, is worth as much to Industrialism as the announcement and verification of its most precious economical truth. And it is the profound and passionate conviction of this truth, it is the hope which has been created by what it has already achieved, that arms Religion to-day with the invincible belief that she has a ministry of healing to Industrialism, which nothing else can give. Religion must create an atmosphere of justice and righteousness, in which the richest advantages will look poor and mean beside the slightest injustice which secured it. Religion, instead of giving herself wholly or even mainly to the task of establishing justice by enactment, has thrown herself into the work of making men just; in order that justice and righteousness may have their way in settling the incessant disputes and differences, which seem inseparable from the working of the vast and complex machinery of production. . . . In the third place, Religion is creating an atmosphere of brotherhood, in which the selfish powers of might hesitate, falter and fail to do any deed, which crushes out of a brother's life that ideal of Salvation, which it is the duty of all of us to nurture and refine. Working along the lines of the new anthropology, Religion is insisting upon the necessity of brotherly union in the interest of the common weal. . . . A really religious employer will not be content to see his wealth increase, if the human beings who co-operate with him to create it are by the conditions of their toil deprived of every chance to develop and discipline themselves into something other than the cogs in the great wheel of Industrialism.

The curse which has long rested upon Individualism is the curse of unsympathetic, unintelligent and unnatural relations between all the parties who create it. To lift that curse is the task Religion in these last days has set herself to perform. It is this characteristic of Religion, which discloses her real nearness to the as yet incomplete Federation of Labor, which is imperfect Religion, just as a good deal of our Ecclesiasticism is imperfect Religion. . . . With the rise of our great manufacturing establishments there has been an enormous increase in the employment of women as toilers by the side of men. That this innovation has brought woman a larger freedom, a more self-respecting independence, cannot be doubted; or that it has increased the amount of production and wealth. But it cannot be long before we shall have to pay the cost of it; and that cost will be an enfeebled feminine physique. For the holy office of maternity the present position of woman in Industrialism, the tasks laid upon her, the hours and conditions of toil, are the worst preparation conceivable. All the economic advantages of the present system shrivel into nothingness in comparison with the fundamental damage done to woman by her unnatural struggle to secure those advantages. Anything which lowers the general estimate of marriage and the family is a distinct social wrong. We must set ourselves radically to reform the culpably careless arrangement, which has increased our wealth, but has correspondingly decreased reverence for marriage by lessening its social necessity; and has weakened the bonds which bind the family together, and preserve it as the most powerfully beneficent social force in civilization."

Chapter V. *Religion and Socialism.*

"It is one of the commonplaces of history that the noblest speculative theories and the most wisely elaborated programmes for the improvement of human society have been wrecked upon the rocks of human selfishness, in one or many of the forms of wrongdoing that it perennially assumes. But through all these shines the unfailing hope that in a future, as certain as the past, such an adjustment of Society and Individualism will be evolved as will cause Society to do only justice and Individualism to perform its duties. It is an elementary truth that

Religion can be on the side exclusively neither of Socialism nor of Individualism; because from the beginning Religion has taught socialism, while at the same time insisting upon individualism. It will be helpful to point out how strenuously Religion insists upon the separateness of the individual. It is in its nature to do so, for Religion is primarily a matter between God and a personal soul. Christianity is pre-eminently, characteristically eager for the growth and vigor of the idea of individualism, realized into virile, personal will. Without this individual consciousness there is no strong, clear sense of personal responsibility; and more and more will man throw upon anything the guilt of acts whose consequences are evil. Half of being 'born again,' in the phrase of Jesus, is the recovery of the consciousness of separate self-hood, which is the beginning of a true moral education. But Religion is equally on the side of organization by the great stress it lays upon the duty of loyalty to superiority, and upon the duty of protection to inferiority. If we were all born equal there would be no need of this. The progress of the world has been attained largely through competent leadership, intelligently and loyally followed by those to whom its results are a boon. It is clear that this must in some way be the exercise of association, which, while binding men together, unites them as independent persons, not as passive instruments. It is Religion which furnishes the type of such association, because it asserts the duty of obedience to God. This is the genesis of the Church, which is ideally a brotherhood, exhibiting as an organization the corporate loyalty which lives in the individual, and receiving, as an organization, the corporate blessings which descend upon the individual. The social duty of man appears as growing out of obedience to God. Part of that social duty is that which is owed by inferiority to superiority, when proved to be fruitful in valuable results. 'The divine right of kings' and the 'omnipotence of parliament' are the historical distortions of this fundamental truth of religion and of organized society. Religion without loyalty to God is unthinkable; progress without loyalty to superiority is impossible. The two ideas are so indissolubly bound together that vigorous religion and continuous progress have always gone together in human history. But the duty of protection to inferiority is equally fundamental. Leadership is

under bonds to furnish its followers with all the blessings it can receive; and upon it is conditioned the duty of inferiority to be loyal to it. Recreancy to this obligation is responsible for almost all the disasters which have overtaken the world. Leadership has been the greatest curse and the greatest blessing the race has known; and the only known force to persuade or compel it to discharge its sacred trust is Religion. . . . Socialism, apparently, is a modern growth or discovery; but it really dates back to the days when the military organization of society was slowly broken up, and the process of political emancipation and enfranchisement was inaugurated. The French Revolution is the spectacular exhibition of how far this process had extended at the close of the eighteenth century in much of European society. Since that time an almost uninterrupted process of extending powers and privileges to classes once excluded from them has characterized modern society. Every government has yielded something to democracy, regarded either as a theoretically sound abstraction, as in France, or as an institution which practically suits the purposes of society, as in England and America. . . . The power of the people has increased since 1832 with every decade, and is increasing still. But the extension of political rights has been accompanied by an equally significant, though not equally great, admittance of the people to educational, industrial and social opportunities. The number of highly, not to say academically, educated persons in Europe and America is estimated to be tenfold more to-day than fifty years ago in proportion to the population. The public school system has been not only extended but lifted. Laws have been enacted in certain communities making attendance upon the schools compulsory. . . . Equally significant is the history of industrial legislation. It is all, without a break, on the side of labor. All its demands have not been granted, but none of the requests of capital for relief have been incorporated into the statutes. Any advantage capital has secured has been by indirection. Those of us whose interests are not directly affected fail to appreciate the radical and wide extent of the changes in laws regulating the rights of employers on the one hand and the duties of employed on the other, which have been wrought throughout the whole industrial world. And finally, the social improvement of the people has kept

pace with their political, educational and industrial betterment. The unstayed tendency of modern society is towards an equalization of chances, to an equal distribution of rights and privileges. . . . But as an accompaniment this tendency has suggested the thought in many minds that by the operation of law, enacted by the State, there may be created an absolute equality of every human being as regards means, rights, opportunities, labor and enjoyment. This is the programme of real, thorough-going Socialism: so to reorganize human society by state enactment that there shall be an absolute statutory equality of opportunity and possessions for every member of society. Socialism is the straightforward doctrine of no private property, state ownership, state management, and state distribution. It is well now and then to call things by their right names. . . . The two forms which Socialism assumes are Communism and Collectivism, the former being fast superseded by the latter. *Communism* is like those perfect working models, which utterly break down when realized in the massive engines that were fashioned to prove their practicability. It is equality by voluntary consent, erected into fact by the free action of all contributors and consequent sharers; but *Collectiveness* is another thing. It means not simply the abolition of private property by a free compact, as Communism preaches, but having captured the government to impose itself by legislative action upon the nation. The State is to own all material, all tools, all products; to own and direct all systems of transportation and communication; to manage directly all financial, industrial and agricultural enterprises; and to determine every economic question that may arise. In return for this it guarantees to all citizens an equal share of all the benefits of every sort which may result. . . . We must determine, if we can, what is, not what ought to be, the relation of Religion to Socialism as thus defined by itself. Religion must be opposed to Socialism, if its effect is to reduce what is most characteristically individual, and to sacrifice it upon the altar of organization. But *is* this the effect? Manifestly, there is no answer to that question, because nowhere has socialism been *realized;* and its effect upon the individual is an affair of pure prophecy. But those isolated illustrations of voluntary Communism, which are thus far the only examples of concrete Socialism, seem to show what the

effect would be. . . . A monotonous, dull, unprogressive existence, the prosperity of peasants, with a peasant's hope, a peasant's aim. A safe, unenterprising, material prosperity of low degree is all that the oldest and most successful of our communistic communities can show as the social result of their theory reduced to practice. This criticism of Socialism is neither theoretical nor prophetic; it is strictly historic, and it shows that Socialism, so far as it destroys Individualism, is opposed to Religion. . . . Organized Religion may be on its side; but it has been on the wrong side too often in the history of mankind for us ever to regard its position as necessarily infallible. It is enough, and more than enough, to discredit Socialism in the eyes of real Religion that it would inevitably overturn one of the eternal foundations upon which Religion solidly, eternally rests. There is no place in it for leadership, but only for power, and power lodged in a vague organization. God has so ordered the deep instincts of humanity that they can be interpreted, regulated and refined only through leadership. Blessing follows obedience; safety issues from obedience. The Divine leadership and the human obedience to it constitute the real history of Christianity, and remain the source of its power. All that is best in a man at his best comes through obedience to leadership; which absolute equality of opportunity and wealth rigorously excludes. That is why Socialism can never be the basis of human society. Again, Socialism makes no provision for the duty of protection which strength owes to weakness. It protests that when it shall have remade the world there will be no battle of life, because weakness will have as good a chance as strength. But weakness needs a *better* chance than strength, *because it is weakness*. What Society as it now exists is trying to do is to secure to weakness that better chance. Religion has developed compassion to the point of energetic, explicit demand that superiority shall stand aside so that inferiority may secure the opportunity which unaided it is powerless to seize, yet pathetically needs. Religion enlarged for all its new and nobler duties is ever striving for a society which shall exhibit throughout its complicated structure the perfect working of that social truth, which St. Paul has finely phrased, 'We that are strong ought to bear the infirmities of the weak.' Religion is the inspiration of every proposition that

looks towards human welfare, and it has the right to claim the credit of creating all the social forces which are working for the common weal; though she may hold aloof from many of the forms through which those forces work."

Chapter VI. *Organized Religion.*

"The school, the university, the library are *education organized*. The schools and museums and galleries are *art organized*. Theoretically it is easy to find Religion outside of organization; and it is not hard to find it there practically, if we are spiritually alert. But the plain fact is that for the most part, in the past and in the present, Religion is to be found inside of organization. Popularly it will always be judged by the spirit of the organization, through which it utters itself. . . . The perfect church on this earth is a dream. A church whose doctrinal structure is without flaw, and whose ritual is absolutely adequate for the general need, has never stood upon this earth and never will. The very love we bear the churches of our choice frequently makes us insensible to their defects. The history of every church that has ever stood in the community has pages which its adherents wish were blotted out. What then can Organized Religion in our time urge as valid claims upon the allegiance of the people? First of all, is the substantial contribution Organized Religion makes in the form of ministry to man's instinctive sensitiveness to God. Churches can die, do die; but they die only when God is no longer felt to be in them. To minister to, not to create, veneration and awe are the churches maintained. To furnish opportunities for self-expansion, to interpret and to direct the hunger for worship, and to keep faith from degenerating into fantastic extravagance on the one hand and into idle dreaming on the other, is the function of Organized Religion from the beginning. All healthy being turns instinctively to the organization, which speaks a blessing and declares 'a reasonable and religious hope.' The Church does not create the blessing, it conveys it, utters it, accepts it. The Church does not claim to have sole possession of that reasonable hope; she claims only to declare it in the ears of men, who cherish it as their only solution of the dread mystery of death. And at the end of the century the churches re-

laxing, but not relinquishing, the importance of formal test, are more and more ready to give a cordial welcome to all who wish to live lives inspired by the elemental truth of Religion. They are best represented by their largest-hearted, widest-minded leaders, and they are forever opening wider the doors that the multitudes, who are more eager to be profoundly moved by the felt presence of God than to define Him and to dictate to Him, may enter in to worship and adore. The coming revival of Religion may have its origin not among the outcasts and the frankly bad, but among the intelligent and upright. But its note will be not repentance but recovery, — the recovery of the lost sense of God's presence among men. . . . The second claim in behalf of Organized Religion is its exercise of ethical force in the life of Society. Righteousness is as necessary to society as commerce and industry; and righteousness is the product of Religion. To-day the churches are more sensitive to the ethical significance, not only of their own especial action, but of all their movements and agitation in the great world of society which show the direction of its current, than at any time in their history. Society confidently counts upon Organized Religion to champion every thoroughly *ethical* question which arises. Society invariably turns to the churches, when some extraordinary issue demands an untiring, undaunted advocate. You cannot name a single *frankly moral* movement in any community, behind which you do not find the Church in some one of its many organizations. Contrast the impression and influence of the churches with the influence and impression *ethically* of the press, the stage, the schools, our three powerful agencies in affecting Society. As *journals*, the press almost without exception is on the side of righteousness, social and individual; it voices the best moral sentiment of the community, denounces crime and vice, and gives generous support to all our noblest endeavors to lift society up. But as *newspapers*, with rare and honored as well as honorable exceptions, the press is largely on the side of what inevitably stains, vulgarizes and finally corrupts the imagination and hearts of men. No one seriously denies it; the press, when driven into a corner, admits it, and offers the indefensible defence that a newspaper is a photograph of the world's daily life. On the other hand, the churches care nothing for the wishes and the hankerings of

the people. Not what we like, but what we ought to like, is the sole motive of their utterances and endeavors. The press, with all its visibly exercised power for righteousness, is every day negativing its noblest influence by its willingness to make evil attractive by dressing it in gauze and spangles that it may be interesting. The 'liberty of the press' is not worth to society half so much as the vigor of the churches; for what society needs, as it needs nothing under heaven, is the strong, uncompromising utterance of the imperativeness of the moral law. . . . Of the need of the play-house to healthy life there ought to be no serious doubt. It directly and fruitfully ministers to one of the most legitimate instincts of human nature. It is good for a man to laugh the hearty laugh, which banishes the cobwebs from his brain; to feel the unusualness of a strong emotion kindled by something other than his chances of success, his danger of defeat; and to be freed, if only for a space, from the heavy weight upon his heart. And the opportunity for this the play-house furnishes. How important a part the theatre plays in modern society it is needless to describe. How wholesome much of its influence is upon the spirit of society we gladly admit. But there haunt its doors, like evil spirits, the subtle temptations to mingle with its innocent diversions, and with its representations of life's noblest passions, the vulgar spectacle that debases, the clever, brilliant wickedness that destroys the bloom of innocence and introduces sweet poison into the soul. The play-house is not set for the ethical health of society; it is set for its entertainment. But the churches, which in the last twenty years have introduced many an attraction, have never lowered the standards of righteousness. Their aim has been openly ethical. Diversion, for the sake of moral education, has been and is the principle which is intended to control the aim of every enterprise not specifically religious, which the churches have organized and maintained. The churches are the doors which open into righteousness; the theatres are the beautiful gateways into wholesome recreation, but too frequently also into ways of harm, and sin, and shame. . . . The primary purpose of the school is to impart knowledge and to discipline power. It would be too sweeping to affirm that religion and morals have been banished from the schools. It would be more exact to say that ecclesiasticism, and the ethics

which are found in it, have disappeared from the formal *curriculum* of all state schools and of many private schools. But the expansion of Religion has permeated to a considerable degree the atmosphere of our public schools. They are neither wholly irreligious nor unmoral. The character of those in whose care they are forbids it. Yet the nature and extent of ethical teaching in them are satisfactory to no one who is alive to the fact that what is done for children in developing, directing, and vitalizing moral force is worth more than what is done for them in the after years of the longest life. This unsatisfactory condition of ethical influences in public education explains the disposition to maintain parochial and church schools; which has developed marvellously in the last quarter of a century. Those whose heated imaginations see in these schools a covert attack upon the public system of education and finally upon our liberties, are the victims of an irrational fear. We shall see in the future an extension of private and denominational schools, unless we can successfully solve the momentous question of how to make our public schools thoroughly religious without making them offensively sectarian. . . . In the third place, Organized Religion urges as a valid claim upon the allegiance of Society that it is distinctly on the side of weakness, ignorance and innocence. As from the churches in the past proceeded the influence which penetrated the public conscience and the public heart, so to-day the strength of Society's compassion, generosity and gentleness is most largely recruited from the life of the churches. Because they are the chief, though not the only, producers of the compassionate sympathy which works miracles of social healing and social progress, no one who believes that society ought to be and will be something better and more beautiful than a chaos of warring individuals, classes and aims, will refuse to give these imperfect, unsatisfactory, yet always spiritually fruitful organizations, called churches, the allegiance which their demonstrated value to society warrants them to claim. . . . In these last eager years we hear much of the duty of Religion towards the 'lapsed masses' of our great cities, the 'pagans' of our rural communities. The mission to these is energetically presented with varying results; and the churches have awakened to the peril of enormous aggregations of people, who have practically abandoned Organ-

ized Religion. One prays that they may never relax their heroic efforts, and that every organization which seeks to draw men into the cleansing currents of civic righteousness and religious faith may never die. But after all the most significant portent in the religious firmament to-day is the abstention from Organized Religion of so many people, in whom culture, education and refinement are in admissible evidence, and to whom righteousness enough for social safety is dear. But Organized Religion will never be content, — ought not to be, — with the allegiance of those who are the weakest members of society; she longs for the support and loyalty of her best and noblest sons. Let the churches stand convicted of imperfection, like our government, our city, our education, our society; but let them also be generously recognized as the chief producers of the human faith, the civic righteousness and the social compassion, which are the sunlight of our civilization."

I have thus endeavored, as best I could, to allow the man to paint for us his own portrait; and I will not mar the outlines by any additional touches of my own.

Dr. Donald was elected a member of this Society at the meeting of May 10, 1900. He greatly enjoyed his attendance at our meetings, making it a point to be present whenever it was possible; although he never contributed to our *Proceedings*, or served upon the Council or on any Committee.

His last illness was long and painful. For some nine months he lingered, not without hopes of recovery, and at times in great depression. The end came on August 6, 1904, in his summer home at Ipswich, Massachusetts, in his fifty-seventh year.

Dr. Donald was married, April 25, 1876, to Cornelia, daughter of Wellington Clapp, of New York city, who survives him with two of their five children.

Funeral services were held at Trinity Church, Boston, on August 9, and his body was laid to rest at Trinity Cemetery, Washington Heights, New York city.

In 1905 a memorial was erected to his memory in the south transept of Trinity Church, composed of a *bas-relief* portrait in Carrara marble, inserted in a canopied structure of Scotch brownstone, with side columns of variegated Italian marble.

Chiselled across the base of the tablet are the words, "I am the King's Cupbearer." This was the text used by the late Rev. Dr. William R. Huntington, Rector of Grace Church, New York city, for the memorial sermon to Dr. Donald, preached in Trinity Church on November 20, 1904. Below the tablet these words are cut in the base:

"To the glory of God and in loving memory of Elijah Winchester Donald, D.D., LL.D., Rector of this parish from October twenty-fourth, 1892, to August sixth, 1904."

I will conclude by quoting the generous tribute paid to him by a parishioner:

His great, broad charity, in truth and might
With his firm courage, dared to rise and call
All souls the children of his Father, — all
Who followed Christ were Christians in his sight.

Loving his Church with loyal, fearless love,
He yet would keep her free from narrow ways,
Which sought to dwarf her glorious triumph days,
And hinder her high calling from above.

So he flung wide the doors to all who came
And gave his life to make straight paths for God.

INSTITUTE OF HISTORICAL RESEARCH

Martin Dexter

MEMOIR

OF

REV. MORTON DEXTER

By FRANKLIN BOWDITCH DEXTER

Morton Dexter, the only son of the Rev. Dr. Henry Martyn Dexter, a member of this Society from 1871 to 1890, and of Emeline Augusta (Palmer) Dexter, was born in Manchester, New Hampshire, where his father was pastor of the Second Congregational Church, on July 12, 1846.

He traced his descent from John Alden, George Morton, Degory Priest, and William Palmer, among others of the early Plymouth Pilgrims, and from Thomas Dexter, who settled at Lynn in 1630.

In his infancy his father came to Boston as the pastor of the Pine Street Congregational Church (afterwards the Berkeley Temple), and in 1854 the family residence was removed to Roxbury, where Morton was prepared for college in the Roxbury Latin School.

He entered Yale, his father's college, in 1863, and received his bachelor's degree in 1867, maintaining throughout a creditable standing, and graduating among the first third of his class in scholarship. In his junior year he won the *Yale Literary Magazine's* prize medal for an essay on Sydney Smith.

In the autumn of 1867 he entered the Theological Seminary at Andover; and after the completion in 1870 of the regular course there, he travelled in Europe and the East for two years.

On April 30, 1873, he was ordained and installed as the first regular pastor of the Union Congregational Church in Taunton, which had been organized five years before in one of the suburbs of that city (Whittenton). He visited Europe

again in the summer of 1876 and also in the summer of 1878.

In November, 1878, he resigned his pastoral charge, and removed to Boston, to enter the editorial office of *The Congregationalist*, and to be in close association with his father, who had long been connected with that paper as editor and proprietor. In making this change he was far from surrendering the ideals which had led him into the ministry; and he was undoubtedly right in the conviction that as a journalist he would have opportunity for as conscientious and as useful service as in the pastorate. Nor did he wholly lay aside the ministerial office; down to the last year of his life he took occasional pulpit duty with acceptance.

His work on *The Congregationalist* was at first general, but afterwards principally that of the literary editor; and he gave himself to this field with cordial devotion, manifesting and developing an excellent literary taste. At the same time his unusual versatility should be noticed, which enabled him to carry on, in case of necessity, almost any or all departments of the paper with facility and success.

He was married in Taunton on June 9, 1881, to Miss Emily Loud Sanford, a daughter of the Hon. John E. Sanford, who was a member of this Society from 1884 to his death in 1907.

By the death of his father in November, 1890, Mr. Dexter became also a proprietor of *The Congregationalist;* and he remained at his post in the office until the property was acquired by the Congregational Sunday School and Publishing Society in 1901. When thus released from stated occupation, he had devoted the larger portion of his active life to exhaustive and conscientious editorial labor.

A new interest had in the meantime absorbed much of his leisure, and was henceforth to be a controlling purpose. His father had left incomplete at his death an elaborate study on the England and Holland of the Pilgrims; and the promptings of filial duty led the son to assume the responsibility of completing this work, which in the result involved the devotion to it of his spare time for fifteen years and the rewriting of his father's entire manuscript.

The first fruit of this period of labor was a book for young

people, called *The Story of the Pilgrims*, published in 1894, which had a successful sale. His election to this Society in 1895 may be described as another outcome of his new line of study; and later incidental by-products were the papers contributed to our *Proceedings* on *Alleged Facts as to the Pilgrims*, in 1895, and *The Members of the Pilgrim Company in Leyden*, in 1903.

He was active, also, in the behalf of other kindred societies, and especially in that of the Mayflower Descendants, serving for two years (1902–1904) as the Governor of the Massachusetts Society, and furnishing several valuable communications to their publications.

He made frequent and prolonged visits to Europe for the re-investigation and verification of the facts on which his father's unfinished manuscript was based; and the volume, when it appeared in the autumn of 1905, was not only an adequate presentation of its theme, but a striking tribute to the author's patient and accurate habits of historical research, as well as to his devotion to his father's memory. As one who had carefully read Dr. Dexter's unrevised and incomplete manuscript, the present writer can bear witness that the work as published was in fact substantially new, based indeed on the original draft, but recast in a less cumbrous form and made into a homogeneous whole; yet the changes wrought were thoroughly in the spirit of the original plan.

Mr. Dexter was elected a Resident Member of this Society in March, 1895. He served for three years (1898–1901) as a member of the Council, and on one occasion (1902) on the committee to examine the library. He was also at the time of his death one of the Committee on the publication of the Bradford papers.

Besides the two papers in our *Proceedings* which are mentioned above, he presented memoirs of Edward Griffin Porter (1901) and of his father-in-law, John Elliot Sanford (1909); and was otherwise always a useful and interested participant in our meetings.

He was the efficient secretary and treasurer of the Committee of the National Council of the Congregational Churches of the United States, which placed a memorial tablet in bronze to John Robinson in Leyden, dedicated in July, 1891.

His health had been declining for several months; and on returning from a short European visit in June, 1910, he went to Edgartown, on Martha's Vineyard, where he had often found recreation. He died there suddenly on October 29, in his sixty-fifth year, and was buried in Forest Hills Cemetery on November 2.

His wife survives him, with their two daughters.

MARCH MEETING

THE stated meeting was held on Thursday, the 9th instant, at three o'clock, P. M.; the first VICE-PRESIDENT, in the absence of the President, in the chair.

The record of the last meeting was read and approved; and the Librarian read the usual list of donors to the Library.

The Corresponding Secretary reported the receipt of a letter from the Recording Secretary of the New England Historic Genealogical Society relating to the death of Mr. J. J. Musket and a work by him on *Suffolk Manorial Families;* also a letter from the same Society suggesting co-operation by various societies, by the appointment of delegates, in the movement for the preservation of ancient names of streets, places, etc. By a vote of the Council the Society joins in the movement; and Mr. MEAD was appointed the delegate.

The Editor reported the gift of a certificate, under the Quaker form, of the marriage at Salem, Massachusetts, November 18, 1819, of Stephen Bowen, of Newport, Rhode Island, and Esther Shove, of Danvers, Massachusetts, containing the signatures of fifty-nine witnesses. It was received from Mrs. Charles F. Withington, of Boston.

Mr. RANTOUL submitted a memoir of John Noble.

George Hubbard Blakeslee, of Worcester, was elected a Resident Member of the Society, and Andrew Dickson White, of Ithaca, New York, a Corresponding Member, was transferred to the roll of Honorary Members.

The Vice-President reported the appointment by the Council of the following Committees, in preparation for the Annual Meeting in April:

To nominate Officers for the ensuing year,
Messrs. JOHN D. LONG, ARNOLD A. RAND and CHARLES P. GREENOUGH.

To examine the Treasurer's accounts,
Messrs. THOMAS MINNS and HAROLD MURDOCK.

To examine the Library and Cabinet,
Messrs. FREDERICK J. TURNER, HENRY M. LOVERING and GARDNER W. ALLEN.

Mr. NORCROSS exhibited a copy of the second issue of "Poor Richard, 1734. An Almanack . . . Philadelphia: printed and sold by Benjamin Franklin at the new printing office, near the market."

The Recording Secretary announced that the Society has been asked to co-operate in a movement for the preparation and publication of a Dictionary of American Biography on the plan of the English Dictionary of Biography; and that the Council has expressed its cordial approval of the movement and sympathy with it, and has appointed Mr. THAYER as delegate to meet with delegates from other societies to promote the enterprise.

The first VICE-PRESIDENT then said:

It is my sad duty this afternoon to announce the death of Francis Cabot Lowell, a Resident Member, which took place in Boston three days ago, on March 6. He was an only son of George Gardner and Mary Ellen (Parker) Lowell, of this city, where he was born on January 7, 1855. While of distinguished ancestry, he needed no family influence to place him in the various high positions which he held with much credit to himself and with honor to the community. From his scholarly habits, and by his mental training together with his high sense of justice, he was singularly fitted to follow a judicial career, in which he achieved so much distinction. In this line of legal learning he seems to have inherited a natural taste for the work, as other members of his family had occupied similar positions in the same Court of the United States.

His connection with the government of Harvard College had been both close and important; and at the time of his death he was one of the Corporation as other members of his family had been in previous years. He had served, also, in the State Legislature, where his ability and integrity had left their mark on the public mind and had foreshadowed for him a life of honor and usefulness.

Judge Lowell was chosen a member of the Society on January 9, 1896, but the duties of the Court have prevented his

frequent attendance at these meetings. Agreeably to long usage on such occasions, at the next meeting Mr. Moorfield Storey, who is unavoidably absent this afternoon, will pay the customary tribute to his worth and character.

I would remind the members that it is just twelve years ago to-day since the Society first met in this room. During this interval of time a good majority of the membership has been chosen, so that somewhat more than one half of our present roll does not have any associations whatever with No. 30 Tremont Street. To them the old building is a mere tradition, while to the others it is a pleasant memory.

Mr. JONATHAN SMITH read the following paper on

TWO WILLIAM SCOTTS OF PETERBOROUGH, N. H.

In the Revolutionary War there served to the credit of Peterborough, New Hampshire, two William Scotts. They were first cousins and both were residents of the town. Each was a captain, and one of them rose to the rank of major and subsequently to lieutenant-colonel by brevet. One served in the First New Hampshire regiment of the Continental line, the other in Colonel Jackson's Massachusetts regiment of the Continental line. In all local, regimental and other histories the records of these men both during and subsequent to the war are very much mixed; the services of the one being often accredited to the other, and *vice versa*. Both were in the army through the entire war and rendered honorable and even brilliant service. In the interest of historical truth the tangle should be straightened out.

The first of these William Scotts, hereinafter to be called "Major Scott," was born in the province of Ulster, probably in or near Coleraine, Ireland, in 1744, and was the son of Archibald Scott, who never came to this country. When his family went on board ship for America, the father declared he would "not go anywhere where he could not touch bottom with his stick." The son arrived in this country in 1760, and went immediately to Peterborough. November 17, 1760, he enlisted into Captain Silas Brown's company of Colonel —— regiment and served five months and seven days. Upon his discharge he returned to Peterborough, where he resided until 1775. At

the outbreak of the Revolution he was keeping store, then the only one in town. On hearing of the march of the British into Middlesex County, which was on the morning of April 19, he melted his leaden weights into bullets and joined the Peterborough men who started for Cambridge about noon of that day. Reaching the scene of war, he set about recruiting and in three days had a company of 63 officers and men, all from his own town or from those in its immediate vicinity, and was assigned to Paul Dudley Sargent's regiment. Colonel Sargent was from Amherst, New Hampshire, but held a commission from Massachusetts. In May or early June, he was sent with his company to Hog Island, near Boston, and from there crossed to Noddle's Island and carried off a number of cattle and horses from under the enemy's fire. On the same evening a British armed schooner, sent to annoy the American forces, was so harassed by the American shots that the men quit the decks of the vessel, and it drifted on the ways of Winnisimmet Ferry and British barges were sent to extricate her. Scott, in command of a party of soldiers, waded into the water and under a brisk fire of the enemy set the ship on fire, burning it to the water's edge. Major Scott brought off his men in safety.

He commanded his company in the battle of Bunker Hill, losing nine men in killed and wounded. The company was enlisted to serve to December 31, 1775. Major Scott was recommissioned captain and on July 7, 1776, was assigned to a regiment under Colonel Sargent, and so served until November 8, 1776. April 5, 1776, he was appointed judge-advocate of a court martial, of which Colonel Sargent was president. He was member of another in the following month, and in June was again judge-advocate of a third court martial, ordered by General Washington for the trial of military offenders. On November 8, 1776, he was commissioned captain in Colonel John Stark's, afterward Colonel Cilley's, regiment of the Continental New Hampshire line, and served to the end of the war, never having been absent or having a furlough, so far as the records show. He was in the retreat of the army from Ticonderoga, and in a skirmish at Bloody Pond, near the outlet of Lake George, commanded the "forlorn hope." Ordered to abandon his position because the troops were not in readiness,

he directed his men to retreat three steps, and then held his ground until the line of battle was formed.

At the battle of Bemis Heights, September 19, 1777, he was wounded in the hand, the ball entering his left hand near the thumb, passing slantwise across the palm and cutting off the small bones and sinews of the hand. His little finger was amputated, and when the wound healed the power of flexion and extension of the fingers was almost wholly destroyed, The major and lieutenant-colonel of his regiment were killed in the action, and on the following day Scott was promoted major of the command.

A year later he was in the battle of Monmouth. After the battle a mutiny broke out in one of the regiments and in quelling it Major Scott was wounded by a bayonet thrust, the bayonet penetrating to the lumbar vertebræ. The soldier was court-martialled and sentenced to be shot, but through Scott's intercession General Washington pardoned him. In August and September, 1779, he was with General Sullivan in an expedition against the Indians. A battle was fought with the Indians and Tories, commanded by Brandt, and by Colonels Butler and Johnson, near Elmira, New York, on the 29th day of August, and the enemy was defeated. In a personal encounter with an Indian chief, Major Scott secured the Indian's long rifle, which was handsomely mounted in silver, and brought it off the field as a trophy. It is now in the possession of one of his descendants. In March, 1783, he was in command of his regiment, and October 10 of that year was promoted lieutenant-colonel by brevet. He retired from the army when it was disbanded late in 1783, after eight years and eight months' continual service. He had not been absent from his regiment during the entire term, either from wounds or any other cause, had taken part in every battle and campaign of his command, and carried on his person, so his family said, the marks of thirty-six wounds.

When he entered service he was married and had two children, one a boy of ten years, the other also a boy, much younger. The latter was placed in charge of a family in Athol, this State, where he was cared for during the war. As soon as he had organized his company at Cambridge he sent for his elder son and made him his waiter, the boy acting in that capacity until

January 1, 1778, when he enlisted in the army as a musician and served three years. In 1781 he was made fife major of the regiment.

In leaving the army, Major Scott went to Albany and then to Schenectady, where he opened a store. Two years later he removed to Greenfield, Saratoga County, New York, and took up land and for the rest of his life was a farmer, though unable to perform manual labor. His hands were so deformed by wounds that they resembled birds' claws more than human hands. He was the first supervisor of his adopted town, held a commission as justice of the peace for many years, and when the Society for the "Promotion of Useful Learning" was organized in Greenfield in 1797, he was chosen its first president, and his son John, its first secretary. He was of a kindly disposition, generous to a fault, interested in public affairs, and was fond of having his army comrades about him. He died in Greenfield, New York, in 1815, aged seventy-one years. His brethren buried him with full masonic honors, on the very spot where with his comrades he slept the first night of his arrival in the wilderness which was to be his future home, in the Bailey Cemetery, Greenfield, New York.

The other William Scott owned a farm in Peterborough at the beginning of the war. He was the son of Alexander Scott, and was born in Townsend, Massachusetts, in 1742. Enlisting into Captain Silas Brown's company, Colonel —— regiment, March 6, 1760, he was discharged December 8 following. Re-enlisted into Captain Farrington's company, —— regiment, June 2, 1761, and served till January 1, 1762; total service in the French and Indian War being one year and over three months. When he heard of the Lexington battle, he was on a journey stopping in Groton, Massachusetts. Starting at once for the scene and overtaking the enemy, he was in season to give them a parting shot as they were crossing the Charlestown ferry into Boston. He assisted his cousin, Major Scott, in recruiting a company at Cambridge, in April, 1775, and was commissioned a first lieutenant. In the battle of Bunker Hill he was severely wounded. He was sent to the Hill on the night of June 16, to assist in the construction of the redoubt. Early in the action his leg was broken by a grape shot, but he continued to fight, and encourage his men, and when he could

stand no longer, sat on the ground and pared bullets to fit the guns of his soldiers. When the enemy were within a few feet of him he attempted to retreat, but getting hit by four more balls in his body and limbs, he fainted from loss of blood, was taken prisoner and carried to Boston. When the British evacuated the city in the following March, his wounds were partially healed, but he was placed in irons, taken to Halifax and thrust into jail. In the following July, with several of his companions, and equipped with a gimlet, bayonet and an old knife, furnished by a friend outside, they broke jail by digging out under the walls, and took to the woods, where they separated. Six of them, including Scott, reached Tours, at the head of the Cobecut River, in three days, and procuring a boat sailed away. Four others, who escaped with them, took the road to Windsor, but were recaptured and returned to jail. Captain Scott and his companions reached Boston about July 25, and as soon as he was able, he rejoined his regiment, Colonel Sargent's, in the following September. He was among the prisoners taken at Fort Washington, November 16, 1776. The night after the surrender, not desiring another fifteen months' captivity, tying his sword to his back and his watch to his hat band, he made his escape by swimming the Hudson River and got safely to the Jersey shore. To escape the British frigate stationed off the fort he had to swim nearly twice the width of the river.

He was commissioned captain, January 1, 1777, in Colonel Henley's, afterward Colonel Henry Jackson's, (Mass.) regiment, and served until the spring of 1781. He was attached to Lafayette's command, and when the latter was ordered to Virginia in the spring of that year, being unable on account of his wounds to make so long a march, he resigned his commission. He soon after entered the naval service, on the ship *Deane*, as a volunteer, and served until May 31, 1782, when he left the army and navy after seven years' service.

On receiving his commission as first lieutenant in April, 1775, he sent for his son John, a lad of ten years, to come and be his waiter boy. This son remained with the army until July 24, 1777, when he enlisted into Captain Fox's company of Colonel Henley's, afterward Jackson's, regiment, and served three years. His brother, David Scott, two years older, also

enlisted into the same company and regiment, July 18, 1777, and served until October 6, 1782, when he died from camp fever.

After leaving the army, Captain Scott bought a farm in Groton, Massachusetts, but soon lost it and then went to Litchfield, New York. His daring courage through which he saved nine persons from drowning on the river at New York, in 1793, has been told too many times to be repeated. He had lost all his property, and with a large family of children, the four youngest being under seven years of age, and his wife dead, he was in the direst poverty. General Knox, the Secretary of War, who knew his worth, appointed him, in 1794, deputy storekeeper at West Point. The following year he was on the suite of General Lincoln, who was sent by the government to Detroit to make a treaty of peace with the Indians. A year later he was connected with a party surveying lands on the Black River near Lake Erie. They were attacked by lake fever and Captain Scott returned with a part of the sick to Fort Stanwix. Not able to find any one willing to go back for those who had been left behind, he decided to go for them himself. His physician warned him that if he did he would never come back alive. "I think I shall," was the reply, "but if not, my life is no better than theirs." He went and returned with the sick, but contracted the fever himself, and died at Litchfield, New York, ten days later, on September 19, 1796, aged fifty-four years.

The father of Captain Scott served a short time in the army in 1780. Thus there were from this one family three generations in service at the same time. The grandfather, son and two grandsons gave a continual service of about twenty years to the colonial cause.

One event in the life of both Major and Captain Scott throws strong light upon the sufferings and hardships of the Revolutionary soldiers, both during and after the war. It largely grew out of the currency, and goes far to explain why it was that in Shays's Rebellion the soldiers were foremost among the malcontents of 1784, 1785 and 1786. In 1775 Captain Scott owned a farm. After the capture of Fort Washington he went home on furlough, sold it and took a note in payment, payable at a future day. When it was finally paid, he did not realize

enough to pay for the horse he lost at Fort Washington. At the close of the war he received his pay and commutation in public securities. With part of these he bought a farm in Groton, paying part of the price down and loaning the other part to a friend. The securities turning out worthless, he lost his farm and all he had paid on it; the friend failed and so he lost his loan. He was thus left penniless, with a large family of motherless children on his hands. Unable to support his family, in 1790 he applied for a pension, first to the State of Massachusetts and then to the general government. Owing to the unsettled state of affairs between the State and national government, the application drifted along until 1794, when by returning his commutation money he was allowed a pension of twenty dollars per month, which he enjoyed only a year and a half. Major Scott's case is best stated by himself in his application for a pension. He says:

It was with peculiar pain your Petitioner was obliged to address your august body in New York, January 17th, 1794, constrained thereto from motives of misfortune and distress. He has struggled with difficulties year after year, in hopes that each would be the last, but has been disappointed and finds his embarrassments thicken and become more complex; in the exigency he is again compelled to apply for relief.

That he is among that class whose hardships are exceedingly disproportionate to any other citizens of America, let recurrence be had to the final settlement with the army invalids, unfit to return to their usual labor, to support themselves and families, debts necessarily contracted must be paid; those securities the only resource; of which to discharge a debt of one pound required eight. This or a gaol was the only alternative; the former has been preferred by every person of honesty.

That the Commutation under such circumstances was an adequate compensation for eight years' hard service (to those who have been so unfortunate as to have lost the use of their limbs and have their constitution ruined) cannot be supposed, at best it only leaves them upon a footing with those who have never received a wound and what is still worse is to exist as objects of obloquy in the vicinity of those unprincipled men who deserted and bore arms against their country and are now enabled through the Liberality of their Master to live in affluence; while many of those who aided in conquering them are suffering under the most distressing penury.

That your Petitioner having received several wounds in defense

of the country humbly submits the premises to the consideration of your Honourable Body, not doubting but his peculiar situation will entitle him to relief.

The application failed, and it was not till 1807 that his claim was allowed. He was then placed on the pension roll at the rate of twenty-five dollars per month under the Act of Congress of April 11, 1806.

The patriotism of this family, to which both Major and Captain Scott belonged, deserves recognition.

In 1775 there were living in Peterborough, or had lived there until within two years of that date, the following Scotts, all descendants of one man, whose name was Alexander Scott:

1. John, aged about 69 years (never married).

2. William, aged about 60 years, and his sons, William, aged 19, Thomas, aged 23, and David, aged 26 years.

3. Alexander, aged 65 years, and his sons, James, aged 20, Alexander, John, aged 24, William the Captain, aged 33, and William's sons, David, aged 12, and John, aged 10 years.

4. William, the Major, aged 33 years, and his sons, John, aged 11 years, and Lewis, aged 1 year.

Fifteen in all, one of whom was a cripple and another an infant. Of the thirteen remaining, twelve were in the American army and their combined service amounted to more than forty years.

Mr. CHARLES C. SMITH read a note on

JOHN FORSTER.

In the recently published *Life of Robert Browning* by W. H. Griffin and H. C. Minchin, it is stated that within six months of the appearance of Browning's *Paracelsus* he was helping John Forster, for eleven years a Corresponding or Honorary Member of this Society, complete his *Life of Strafford*. To this is appended a footnote in these words: "Information from Miss Browning puts this matter beyond dispute; none the less, the completed work is Forster's, not Browning's." This apparently harmless note has revived the old dispute as to the authorship of the *Life of Strafford*, which was published under Mr. Forster's name in Lardner's *Cabinet Cyclopædia*, and has since been reprinted several times as a part of his *States-*

men of the Commonwealth of England. In an article in the *Nineteenth Century* for last December, Miss Emily Hickey, one of the founders of the Browning Society, flatly contradicted Mr. Minchin, and reiterated the claim for Browning on the authority of a private letter from the poet, which she says she destroyed after showing it to one other person. To this Mr. Minchin replied in a letter to the London *Spectator* of January 21, 1911, which should seem to set the matter finally at rest. In it he writes:

> Neither at the time of its appearance under his friend's name nor subsequently did Browning lay any public claim to its authorship. As the poet unquestionably helped Forster with his task, it might have been more exact to describe the work as by Forster and Browning; but this was a matter between the two men; and there is not a shred of evidence that Browning desired, still less that he asked for, the inclusion of his name.
>
> How much of it Forster actually wrote it is impossible to say. But was he the sort of a man who would put his name to a work which was entirely by another? Mr. R. Barrett Browning, who knew him, answers emphatically, "No." What happened was this. Chancing to call upon Forster one day, Browning found him ill and worried, fearing he would be unable to complete his "Life of Strafford" by the time agreed. The poet helped his friend, how much Miss Browning did not know; but it was while thus occupied that he first thought of writing a drama on Strafford.

The appearance of this letter in the *Spectator* at once recalled an incident in my own experience more than sixty years ago. In March, 1848, I contributed an article on The English Revolution to the *Christian Examiner*, a bi-monthly publication, second in reputation at that time to only the *North American Review*, and of which Rev. Dr. Lamson, of Dedham, long a member of this Society, was the senior editor. In the course of that article I characterized several recent publications, and referring to Forster's Life of the younger Sir Harry Vane, wrote that it "is the best that has fallen under our notice," adding in a footnote, "Mr. Forster speaks with deserved commendation of Mr. Upham's excellent Life of Vane in Sparks's Library." This reference naturally annoyed Mr. Upham, who was also long an honored member of this Society, and he complained of it to the editors of the *Christian Examiner*. They communicated

his complaint to me, and at the same time sent me a copy of the *National Intelligencer*, containing a long article on the editorial page, signed with a pen and ink by Edward Everett, showing that Mr. Forster had copied freely and without acknowledgment from Mr. Upham's *Life of Vane*. On receiving these documents I prepared an explanatory note which was printed in the next number of the *Christian Examiner*, saying: "Mr. Upham's Life of Vane we have ever held in high estimation. It was some years since we had read it; but our attention having been directed to the subject, we have been at the pains of comparing it with the more recent work of Mr. Forster, and find that he has borrowed whole passages from Mr. Upham without proper credit, and we cannot but regret that a writer of so great and varied learning should have been guilty of such disreputable plagiarisms." It may be amusing to add here that a few years before this time the American publishers of a reprint of Macaulay's *Essays* had included at the end of the volume, as an undoubted work by Macaulay, an article on Charles Churchill which Mr. Forster had contributed to the *Edinburgh Review*. Nearly twenty years after the publication of the article to which Mr. Upham took exception, I noticed also in the *Christian Examiner* his really exhaustive work on the Witchcraft Delusion of 1692, and at that time received from him a long and very cordial letter.

Mr. Forster was singularly unfortunate in his relations to writers on the subjects which he afterward chose. Besides the knotty question as to the authorship of the *Life of Strafford*, and his undeniable indebtedness to Mr. Upham, when he published his charming *Life and Adventures of Oliver Goldsmith*, Sir James Prior clamorously accused him of stealing the materials which Prior had used in an earlier Life of Goldsmith. I have never read Prior's book, but I believe the general judgment is that he greatly magnified his grievances, and had not in fact much ground for complaint.

Mr. Forster was elected a Corresponding Member of this Society in February, 1865, not long after the publication of his enlarged *Life and Letters of Sir John Eliot*, and ten years later his name was transferred with others to the Honorary list by a unanimous vote. He died in February, 1876. He was a very able man, a tireless worker who delighted in his work,

and an admirable writer. He had no need to add to his reputation by appropriating to himself the work of other men; but it is reasonably certain that he thought more of making a thorough and interesting book than of giving full credit to those who had preceded him in the same field. Plagiarism is one of the "calamities of authors." With the enormous multiplication of histories and biographies, and with the inordinate desire of new writers to magnify their own discoveries, it need cause little surprise if plagiarisms, as they can be less easily detected, should also increase, and that young and ambitious writers should ignore the strong men before Agamemnon into whose labors they have entered. "Let them perish who said our good things before us."

Mr. SANBORN then read the following paper upon

NEGRO SLAVERY IN KANSAS AND MISSOURI.

In a volume recently published in Boston, entitled *John Brown Fifty Years After*, and written by Oswald Garrison Villard, grandson of the famous advocate of Emancipation by moral suasion, I find much to commend, and many inaccuracies and inconsistencies to correct. In this paper I shall restrict myself chiefly to a single point, the existence of negro slavery in Kansas and Missouri fifty-five years ago, — how it got there and how it was removed. On this simple historic question, to be decided, I have always supposed, by an appeal to facts, Mr. Villard makes a very singular assertion, in these words:[1]

> It is idle to assert that Kansas never would have been free, had it not weltered in blood in 1856; if the Sharp's rifle policy had not been followed. Climate and soil fought in Kansas on the side of the Free State men. . . . The familiar slave crops never could have been raised in Kansas with its bleak winters. Moreover, the South was never a colonizing section; the history of the settlement of our Western communities proves this.

Here are several direct statements and implications for which it would be rather difficult to find proofs. As I was active all through the period mentioned, which was some twenty years before Mr. Villard was born, I may be permitted to say that I never before heard it asserted "that Kansas never would have

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been free, had it not weltered in blood in 1856." Never is a long word, and few persons are gifted with the foresight which this author assumes occasionally, to tell exactly what would have happened had the actual course of historic events been otherwise than it was. What the persons living at the time saw and said was, that Kansas was destined to become slave territory unless some active means were employed to prevent the maintenance of negro slavery there. This was said by the slaveholders themselves, by their political friends, whom they had nominated and helped to elect to high office, and by most of the opponents of slavery. The notion that there was anything in the climate or soil, in the winters or the summers of Kansas, to prevent the selfishness of men from using slave labor there, as had been done in the adjoining territory of Missouri for half a century, — this notion is as unfounded as any delusion that occupies weak minds.

Slavery, and particularly negro slavery, has existed, and that for centuries, in every kind of climate and every species of soil. I was born within sight of the "Nottingham Hills," that low chain of New Hampshire mountains visible in the seashore towns, from every considerable hill and from the open ocean, a mile or two away from the shore. Among those hills, in one of the bleakest and rockiest parts of Rockingham County, there resided at the close of the Revolution, in which he had been a distinguished military officer, General Joseph Cilley, of Nottingham, owning four slaves, which were still his property at the census of 1790. The old soldier would have laughed at the fancy that anything in the climate or soil of his town could prevent his slave Pompey from saddling his war-horse, or could interfere with Chloe Cutler or Lucy Light milking his cows or feeding his hens. Slavery had then existed in New Hampshire for more than a century and a half, and might exist there now if the moral sense of its people had not gradually led to emancipation.

In fact, the soil and climate of Kansas were rather more favorable to the "slave crops" than were those of Missouri, as a citizen, Mr. Connelley, who has resided for years in both States, has lately written me, saying:

The heavy slave-counties of Missouri were those along the Missouri River, in latitude about equal to central Kansas; and the

climate of Kansas has always been milder than Missouri's. Kansas does now and always did bear well two crops believed to be profitable for slave-culture, tobacco and hemp. Any crop raised in Missouri or Kentucky (I have lived in both States) can be raised equally well, and often with a better yield, in Kansas. We have some very cold weather here occasionally, but it lasts for only three or four days. In the thirty years I have lived in Kansas, I have seen just three cold winters. . . . This "soil and climate" theory was promulgated by Governor Walker in 1857, trying to "save the face" of the pro-slavery people, when it was seen that slavery here was beaten by the Free-State majority.

It is well known that Webster propounded as a theory that slavery would not go into much of the territory acquired from Mexico; but this was a mere theory, for which he offered no proof, and which is discredited by Senator Lodge in his *Life of Webster*.[1] The reasons that Webster gave in his 7th of March speech for his change of attitude since 1848, Lodge says,

were that Nature had forbidden slavery in the newly-conquered regions and that the Wilmot Proviso, under such circumstances, would be a useless taunt and wanton insult to the South. The famous sentence . . . "that he would not take pains uselessly to reaffirm an ordinance of Nature, nor to re-enact the will of God" was nothing but specious and brilliant rhetoric.

I take it that David R. Atchison, born in Kentucky amid slaveholders, who removed to western Missouri in 1830, as so many Kentuckians and Tennesseans did, — among them Daniel Boone in his old age, — and who for twelve years was a senator from Missouri at Washington, must have known what he was talking about when (April 15, 1855) he wrote to Amos A. Lawrence, a former member of this Society, in these words:

You are right in your conjecture that I and my friends wish to make Kansas in all respects like Missouri. Our interests require it; our peace through all time demands it; and we intend to leave nothing undone that will conduce to that end, and can with honor be performed. If we fail, then we will surrender to your care and control the State of Missouri. We have all to lose in this contest. You and your friends have nothing at stake. . . . You say that "those who go from New England to Kansas have gone in good faith and at their own expense." . . . You further say, "Neither is there any

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truth in the assertion that they are abolitionists. No person of that stamp is known to have gone from here." . . . A man coming from Massachusetts or South Carolina to settle in Kansas, with the express purpose of excluding slaveholders from that Territory, and, by means of his influence in that Territory, abolishing slavery in Missouri, I regard as an "abolitionist," and an enemy to justice and right, and the Constitution and union of these United States. I respect a man who is willing to overthrow our government, — involve the United States with each other in civil war, — that African slavery may be abolished. . . . The term "free-soiler" is far more odious to me than "abolitionist." The one implies something of honesty; the other all of knavery and hypocrisy. . . . You come to drive us and our "peculiar" institution from Kansas. We do not intend, cost what it may, to be driven, or deprived of any of our rights. Missouri will never again compromise or concede. We are, and intend to remain, your equals. . . . The sin of slavery, if a sin, is ours, not yours. Your fathers sold their slaves, and ours bought them. If you consider slavery in Missouri or Arkansas a grievance to you, say at once that we must free them or you will separate from us. Do this, and you will act like honest men, and we will meet you half-way. We cannot ever maintain this state of *quasi*-peace and *quasi*-war. . . . Let me suggest that you purchase $90,000 worth of negroes; come out to Kansas; feed and clothe your slaves well; give them employment; build for them and yourself good houses; improve their condition; build for yourself fine barns and stables; cover the prairies with wheat, hemp, and corn; feed your cattle on a thousand hills; assist your poor neighbor; and, my word for it, you will do more good for your race, both white and black, than you are doing or can do, in Boston. I should be happy to have you for a neighbor; and you will find as much good among slaveholders as you have found among non-slaveholders.[1]

It is evident from this letter that Mr. Atchison saw nothing in the climate or soil of Kansas unfavorable to slave crops, which he specifies as wheat, hemp, corn and cattle. In addition to these, Kansas now raises tobacco and cotton, — the former in large quantities. The letter was sent in reply to one from Mr. Lawrence of March 31; and the next we learn of Mr. Lawrence, he was sending out Sharp's rifles to Kansas instead of accepting this invitation.

What were Abraham Lincoln's fears and views in regard to the exclusion of slavery from Kansas, by positive prohibition,

[1] *Kansas Hist. Soc. Collections*, VII. 523–524 *n.*

instead of relying on "climate and soil" to keep it out, will appear by this passage in one of the three speeches he gave in Kansas in December, 1859, as reported by my friend and college companion, D. W. Wilder, who met Lincoln in Missouri and escorted him into Kansas:

You people of Kansas will soon have to bear a part in all that pertains to the administration of the national government, which has always had, has now, and must continue to have a policy regarding domestic slavery. In such a policy it must of necessity take one of two directions; it must either deal with negro slavery as being wrong, or as not being wrong. In the early policy of our government, the prohibition of slavery in the Northwest Territory, the declaration that the slave trade was piracy, etc., — the basic idea must have been that slavery is wrong, and to be tolerated only so far as the necessity of its actual presence required. Now there is a new policy, based on the idea that negro slavery is not wrong, — the Kansas-Nebraska Act being the application of this new policy. You, the people of Kansas, have tested this new policy for the first time. Here, at the end of five years of almost continual struggles, bloodshed and fire, over this very question, the right or wrong of slavery, — and after having framed four or five State Constitutions, you have at last secured a Free State Constitution, under which you will soon be admitted to the Union. . . . Now contrast the two policies, the new and the old, — their actual working, — and say whether, after all, the good old way, the way of Washington and Jefferson, was not the better of the two. . . . If your first settlers had so far decided that slavery was right, as to have got 5,000 slaves planted on your free soil, you never could have adopted your Free-State Constitution. Their owners would be influential voters among you, — as good men as the rest of you, — and by their greater wealth and consequent greater capacity to assist the more needy, perhaps the most influential among you. You would not wish to destroy or injure their property; you would not know what to do with their slaves if you made them free. You would not wish to keep them as underlings, nor yet to give them social and political equality; and you could not send them away. All the rest of your property would not pay for sending 5,000 free negroes to Liberia. You could have disposed easier of not merely your five Governors, but of 500 such Governors.

This shows that Lincoln knew by observation what would happen if slavery once got a foothold in a region like Kansas; and also how far he was in 1859 from the policy of emancipation

which the generalship of Lee forced upon him three years later. In 1855 Lincoln had expressed the fear that slavery would be introduced into Illinois, and might spread over the whole country. As for the colonizing powers and wishes of the South, when California came forward as a State, Senator Lodge says, in the same *Life of Webster:*

> Mining was one of the oldest uses to which slave-labor had been applied, and it still flourished in Siberia as the occupation of serfs and criminals. Mr. Webster, of course, was not ignorant of this very obvious fact; and that nature, therefore, instead of forbidding slave-labor in the Mexican conquests, opened to it a new and almost unlimited field, in a region which is to-day one of the greatest mining countries in the world. Still less could he have failed to know that this form of employment for slaves was eagerly desired by the South. . . . Mr. Clingman of North Carolina, on January 22, . . . had said, . . . "But for the anti-slavery agitation our Southern slave-holders would have carried their negroes into the mines of California in such numbers that I have no doubt but that the majority there would have made it a slave-holding State." At a later period Mr. Mason of Virginia declared, in the Senate, that he knew of no law of nature which excluded slavery from California. "On the contrary," he said, "if California had been organized with a territorial form of government only, the people of the Southern States would have gone there freely, and have taken their slaves there in great numbers. They would have done so because the value of the labor of that class would have been augmented to them many hundred fold." These were the views of practical men and experienced slave-owners, who believed that domestic slavery could be employed to advantage anywhere. (Pages 319–320.)

And I may add, such men had been colonizing the unsettled parts of the South ever since the Carolina slaveholders, early in the eighteenth century, overthrew Oglethorpe's humane design to exclude slavery from his colony of Georgia.

What happened to slavery in Kansas was briefly this: the Free State men began to set free those whom they came across in their petty wars of 1856–1858, — the first example being given by the eldest son of John Brown, in May, 1856, for which he was at first sharply criticised by his own men. Soon after, the custom of Missouri slaves escaping into Kansas became common, and there was a regular organization in Lawrence to aid their flight to the North through Nebraska. When John

Brown left Kansas in October, 1856, he took a fugitive along with him in his wagon. Southern men in Missouri and Kansas gave money for such escapes, and Quantrill, the pro-slavery brigand, pretending to be an abolitionist, led into a trap a Kansas party which went into Missouri to bring away the slaves of Morgan Walker, in December, 1860.[1] John Brown himself had invaded Missouri two years before, and brought off a dozen slaves, whom he safely carried through to Canada early in 1859. His policy everywhere was to make slavery unsafe and unprofitable; and in consequence of the activity of himself and his friends in Kansas, slavery practically ceased there, and western Missouri had its slaves decreased by thousands before Kansas was admitted as a State in January, 1861. Its first Representative in Congress was my friend, Martin F. Conway, of Maryland, whose speech in Congress in 1863 in favor of acknowledging the Southern Confederacy is mentioned in the last volume of our *Proceedings*.[2]

When I first became intimately associated with the movement to free Kansas from the negro slavery there existing, and to make it a free State, two gentlemen from the South, named Conway, but in no way related to each other, were active in the cause, — Martin Franklin Conway, of Maryland, and Moncure Daniel Conway, of Virginia, a relative of the late Senator Daniel of that State. The latter is so well known through his copious writings, among which is an autobiography, that he needs no description here. But Martin Conway, in some respects an abler person, is now but little known, for he died long ago under painful circumstances. He is much mentioned in the biography of his friend and mine, George L. Stearns, of Medford, by his son, my former pupil, F. P. Stearns, and I may quote what he says:[3]

> Martin F. Conway, a young and effective speaker, . . . was one of the most brilliant of the band of reformers with whom Mr. Stearns was associated; but much too fragile physically for the part in life which destiny had assigned him. He was born in Baltimore and, like John Brown, conceived a horror of slavery in his boyhood from

[1] See W. E. Connelley's *Quantrill and the Border War*.

[2] *Proceedings*, XLIII. 365.

[3] *Life and Public Services of George Luther Stearns*, by Frank Preston Stearns, 123, 272, 275, etc.

seeing the manner in which unoffending negroes were treated. At the age of twenty-one he studied law, philosophy and government; read Plato, Aristotle, Locke and Alexander Hamilton. He succeeded well as a young (law) practitioner, but in 1855 he decided to emigrate to Kansas and try his fortunes with the Free State party there. In Autumn, 1855, the Free State men chose Conway for their chief-justice.

He became in the summer of 1856 one of the Kansas pioneers selected by our Massachusetts Committees, along with Rev. Mr. Nute, E. B. Whitman, of Massachusetts, Grosvenor P. Lowrey of Pennsylvania, and later, Charles Robinson and Colonel James H. Lane, to address audiences in New England, and promote the raising of money to aid our struggling friends in Kansas. In that work, in which I actively assisted, I became intimate with Martin Conway. In the winter of 1862–1863 the other Conway was living in Concord near me, and the two met at Mr. Stearns's villa in Medford, January 1, 1863, to celebrate, along with Emerson, Garrison, Phillips, Mrs. Howe and other friends of freedom, President Lincoln's great act of emancipation, which finally turned the scale of civil war in our favor.

At this time Martin Conway was in Congress, being the first Representative elected from Kansas as a free State, and seated in the House at Washington, late in January, 1861, while Secession was actively going forward, and that city was in the condition lately described so forcibly by Henry Adams.[1] He had supported all the measures of Lincoln's administration, had voted against the efforts of compromisers to make slavery perpetual, and had gained the attention of the House by the logic and force of his occasional speeches. But by December, 1862, he became fearful that the conquest of the South could not be made, and that Lincoln was only half in earnest in his emancipation measures. In his visit to Emerson, to Moncure Conway and others at Concord in that December, he talked freely of his intended speech of January, 1863, in support of resolutions which he introduced soon after, declaring,

That it is inexpedient to wage this war for the purpose of restoring the Union; that the restoration of the Union as it existed prior

[1] *Proceedings*, XLIII. 660.

to the Rebellion would be a greater calamity than the Rebellion itself; that the seceded States could not be subdued but by being assailed upon principles of ordinary warfare as between separate nations.

To these propositions the House at once declared itself opposed, by a vote of 132 to one, — Conway himself. But in Concord, as I happen to know, he had secured one supporter, and perhaps two, — Nathaniel Hawthorne, and possibly Moncure Conway, who was then making arrangements for his visit to England, where, six months later, he made his singular offer to Senator Mason, the Confederate envoy, — that we would allow the Confederacy to exist as a nation if it would emancipate the slaves. I dined with Mr. Hawthorne on Christmas day, 1862, in company with the late George Bradford, uncle of our associate Gamaliel Bradford; and then and there Hawthorne told us that he had met Martin Conway, had heard his arguments for recognizing the Confederacy, in order to get rid of slavery the sooner, and that he himself favored separation. "We are two peoples," he said, "and we long have been. When I was Consul at Liverpool and was meeting men from the South and from the North, I felt then how essentially we were two nations." He did not seem to regard separation as a step towards emancipation, as Conway did; but that it was one of the inevitable results of natural antipathy. This was not the view taken by his friend, General Pierce, at the time, who was of the opinion expressed by Mr. Vallandigham of Ohio, in the House about the time Conway offered his motion.

On January 14, 1863, Mr. Wright, a Pennsylvania war Democrat, having introduced resolutions declaring that the rebellion was without cause, and the war was for the restoration of the Union, Vallandigham said:

> The restoration of the Union is possible upon the basis of the old Constitution; the three-fifths rule of representation, the speedy return of fugitive slaves, no more anti-slavery agitation, and the permitted transit and temporary sojourn of masters with their slaves in all the Free States. I propose an armistice, but no treaty at present; to withdraw the armies and reduce them to a peace establishment; and to allow travel and unrestricted commerce to restore peace and repair the damages of war.

He then proceeded to attack our New England people, and their Puritan civilization, but was graciously moved to allow us to stay in his restored Union; although, he added, "the supremacy of the Puritan civilization is incompatible with peace and the Union."

Mr. Conway, in his speech, which was printed in full in the last number of the *Boston Commonwealth* which Moncure Conway edited before sailing for England (and which he supported in a brief leader), said:

> There are three methods of again uniting the nation. One is to crush out the slaveholders by force; another, to surrender to them on the matter at issue; and the third is temporary separation, and final reunion on an anti-slavery basis. The Republican party is for force; the Democratic for conciliation. The Republican party consists of those opposed in principle to slavery; the Democratic of those who are not. They are equally for restoring the integrity of the nation. Indeed, the instinct of union and territorial empire is so dominant that the party of conciliation would adopt force, and the party of force conciliation, rather than give up the effort for dominion.

He then went on to say that separation would bring about the abolition of slavery quicker than war would. He feared that the Democrats would carry the country in 1864, and would restore the Union on the Vallandigham basis; whereas temporary separation would place the slaveholding section in an impossibility of continuing slavery. On this point he said:

> The South has no cohesion, no solid basis. The principle of secession is one of disintegration. Its system is unstable from foundation to turret; slavery will inevitably rend it asunder. It develops a perpetual warfare between conscience and interest. Let the South become independent and we shall one of these days see a North and a South in the South. Anti-slavery will break out in Richmond. The doctrines of Jefferson, Mason and Madison will again be spoken. Such slaves as can escape across the lines will do so, and the rest will be conveyed by their owners to the distant South. As these northern States become free, they will become antagonistic to their confederates, and reconciled to their old Union, and no obstacle can prevent their return.

There was much force in this reasoning, and the experience of Missouri, Kentucky and Tennessee was even then verifying

it. But Providence was pointing out a better way, of which Lincoln, after long hesitation, became the path-breaker, as John Brown had been the slain pioneer. He followed up his decrees by arming the negroes, and he was so just and merciful in his dealings with all that his re-election was triumphant. This had not been expected by Judge Conway, who, with failing health and a tendency to pessimism, had taken gloomy views of Lincoln's persistency in a good cause, and was inclined to despair of the Republic.

Among many misconceptions of the men whom he has occasion to mention in his volume, Mr. Villard is inclined to charge John Brown and his friends with being disunionists, as his grandfather Garrison was, until he saw a chance to abolish slavery through the war for the Union. Neither Brown nor his firmest supporters, with the exception, for a time, of Wentworth Higginson, were disunionists. Martin Conway might be so designated from his injudicious proposals in Congress; but he was heartily for a restored Union without slavery. Upon my succeeding Moncure Conway as editor of the *Commonwealth*, February 15, 1863, I expressed my own Union sentiments by publishing therein my long Boston address at the Music Hall (February 8, 1863), advocating the vigorous prosecution of the war. Without then being acquainted with the far-sighted prediction of John Quincy Adams, John Brown and his friends agreed with Mr. Adams when, in 1820, he wrote in his private diary (February 24):

> Slavery is the great and foul stain upon the North American Union, and it is a contemplation worthy of the most exalted soul whether its total abolition is or is not practicable; by what means it may be effected, and, if a choice of means be within the scope of the object, what means would accomplish it at the smallest cost of human sufferance? A dissolution, at least temporary, of the Union as now constituted, would be necessary; and the dissolution must be upon a point involving the question of slavery, and no other. The Union might then be reorganized on the fundamental principle of Emancipation.

I last saw Martin Conway in Richmond, Virginia, in June, 1865. He was then living there after the war, and practising law. He died some years later, the inmate of an insane asylum. His letters to me of May 10, 1858, and August 7, 1859, follow,

— both written from Lawrence in Kansas, about the time that Mr. Stearns and others were sending John Brown back to Kansas, to maintain peace there.

LAWRENCE, K. T., May 10, 1858.

DEAR SANBORN: — I am now engaged in a movement out here in which my heart is very much enlisted, — the new State movement under the Leavenworth Constitution. I was elected a delegate to the Convention which made the Constitution, without any action whatever on my part; and with some other good and true men, I went to work and framed an instrument for the fundamental law of the State, based upon principles of justice all round. As soon as we got it published, a great howl was raised against it as a "nigger" Constitution, because it did not shut out red, yellow or black men from the elective franchise. This opposition has been going on ever since, and all the lower elements are raging, and preparing to dash it to pieces the moment they can get a chance at it.

Under ordinary circumstances we could safely defy this movement of the groundlings; but in consequence of dissatisfaction among our own people about offices, and a great hankering after land on the part of some of our leaders, which causes them to keep in with the powers that be, in order to get railroad grants and the like, — in consequence of these things we are in danger of having all our work go by the board. The opposition of the Leavenworth Constitution is very strong indeed. The pro-slavery party proper, the "subterranean" wing of the Free State party, and all the disappointed office-hunters and insatiable landsharks are against it. And what is worse, we have not got the means to enable us to meet them and fight them everywhere through the Territory, as we should have. The whole campaign in behalf of the Leavenworth Constitution has to be conducted without a cent of money.

Mr. G. L. Stearns wrote me to know what they could do in Boston to help along the cause of freedom out here, and I sent him word to send out $500 to pay the expenses of beating the pro-slavery Democracy on the Leavenworth Constitution. He replied that if he did this he would have to do it out of his own pocket; and he did not deem it of sufficient importance to justify this personal outlay. Right enough, surely. But I think your good people in Boston have made a little mistake in this matter. You must know that if this Leavenworth Constitution be ratified, and goes up to Washington, the whole Republican party of the country will be forced to advocate it as a fair expression of popular sovereignty. Nay more, — Crittenden and the whole Know-Nothing faction of the North and South would take ground for it against the Administration. This

is the irresistible tendency of current events. Now here is a chance to unite the largest party that has ever been organized in this country upon the highest anti-slavery platform. We made the Leavenworth Constitution for this very thing. We knew that the Constitution made by our convention would have to become, if ratified the platform of the party opposed to the Administration; and we made it purely anti-slavery in order to bring up a great national party to the highest national ground. And yet our devoted friends of anti-slavery in Boston could not afford us $500 to carry the enterprise through!

They gave $3,000 to Delahay to start a paper in Kansas once. Delahay's paper has never seen the light, and Delahay himself is a "subterranean." They gave even $3,000 or $4,000 to one George W. Brown. You know, I presume, what Brown is at the present writing, as well as the character of his paper. Brown is the prince of the "subterraneans," and his paper is their organ. And yet, liberal to a fault as these things prove our friends in Boston to be, they would refuse to the Leavenworth Constitution and its friends $500 to keep them from being beaten by the Black-law, pro-slavery, subterranean Democracy. Our Boston friends are not mean; $100,000 already given to Kansas proves this. But they are not shrewd, I think, in giving their money, however proverbially sharp they may be in making it. They give not wisely but too well.

I shall deeply deplore the defeat of the Leavenworth Constitution, as I believe you will. If it be defeated, I am satisfied it will be owing to the inability of its friends to do for it all they would do, had they but a small fund with which to operate. I have done all I could do, and something more; and so have W. A. Phillips, and Mr. Adams (of Leavenworth) and General Lane. The election will take place to-morrow a week (May 18, 1858). In the meantime I intend to be on the stump all the time, although my throat is very sore, and my voice shattered, and I am threatened with permanent bronchitis. But the more it hurts me, the more I have to do it. I have made up my mind to die in Kansas, for to die in Kansas is no calamity. And if I should die on the stump for the Leavenworth Constitution, I think I should rejoice and be exceeding glad. Ever truly yours,

M. F. Conway.

Lawrence, K. T., Aug. 7, 1859.

The politics of Kansas at this time may be summed up as follows,— The new Constitution, the Osawatomie platform, Marcus J. Parrott and the Republican name and prestige on one side, — and honest, straight-out Border Ruffian Democracy on the other. This is the whole of it. I am sorry that the Republican party was not per-

mitted to take a higher form, and look to nobler things, but the dead level of human nature is so low that our best efforts have all proved futile. . . . The Republican party must sink to the brutality and meanness of average humanity, or it will never come to anything. The party is not to be censured; it has done what any other party similarly situated would do. "Success is a duty." This is the elevated sentiment which animates our age; we must win, though we die for it, soul and body. . . .

M. F. CONWAY.

The effort of Conway, Lane, Henry J. Adams, Phillips, etc., only partially succeeded; though the Kansas *people* even then were on their side. Conway's theory that this unsuccessful Constitution, if ratified by the majority in Kansas, would have rallied to its support Frank Blair of Missouri, and Crittenden of Kentucky, finds some support in one of the letters of Lincoln's partner, Herndon, to Theodore Parker, a year earlier (April 8, 1857). Meaning by his two interlocutors the day before, Abraham Lincoln and Francis P. Blair, Herndon wrote:

I had a conversation yesterday (April 7, 1857) with one of the leading emancipationists of Missouri, and one of the leading Republicans of Illinois. Do not ask who they were. This is the substance of it: The Missouri *Democrat* is to open and bloom for Republicanism in 1860. The Louisville *Journal* is to follow, and some paper in Virginia is to fall into the trail, — all which is, as it were, to happen accidentally. The *Democrat* is simply to suggest, the *Journal* is to suggest still stronger, and at last all are to open wide for Republicanism. As these two men said, "We are to see the devil in the border States in 1860." These two are more than ordinary men; the conversation was in my office, and was confidential; therefore I keep dark, and request you to do so on the Missouri man's account; don't care for the Illinois man. You know him.

Mr. FORD submitted a paper in the writing of Edmund Pendleton, of Virginia, found in the Washburn MSS. in the collections of the Society. It is endorsed by Pendleton "Congress, May, 1775," and by Charles Thomson, secretary to the Continental Congress, "Mr. Pendleton's Motion."

Congress met in Philadelphia, May 10, 1775, and on the following day received by the hands of John Hancock, a delegate from Massachusetts Bay, the papers describing the events of April 19, the excursion of British troops to Concord and

Lexington. Congress unanimously resolved itself into a committee of the whole to take into consideration the state of America. This committee continued to sit, almost from day to day, for some weeks, and framed a number of resolutions which on adoption were entered upon the *Journals*. Apart from those entries there are no means of following the transactions of this committee, before whom so important questions were crowding at this most critical period in colonial history.

The paper now printed must have been laid before Congress at some time between May 11, when the Lexington papers were communicated to it, and May 26, when resolutions were adopted, denouncing the unconstitutional and oppressive acts of Parliament and the attempts of the ministry to enforce them, providing for putting the colonies in a state of defence, and for a petition to the King and negotiations for accommodating the unhappy disputes subsisting between Great Britain and the colonies.[1] It is marked by the uncertainties of the situation, by the presence of a powerful faction in Congress which sought to prevent decisive action towards open hostilities against the mother country, and favored the adoption of a conciliatory policy, to be embodied in humble and dutiful petitions to the king. Pendleton was not one of the extremists, and possessed few qualifications for leadership. His associates in the Virginia delegation — Peyton Randolph, Washington, Richard Henry Lee, Patrick Henry, Benjamin Harrison and Richard Bland — would not have cast the vote of the colony for independence, as Lee and Henry could alone be counted as so far advanced as to favor an actual break with Great Britain. My opinion is that this report was prepared by the Virginia delegation in Congress, to be submitted to the consideration of the committee of the whole. The endorsement by Thomson proves that it was actually presented, but not having been adopted by the committee, it did not come before Congress, and so no record appeared in the *Journals* of that body. Thomson, the secretary, did not pretend to preserve all the papers that were laid before Congress, and the original doubtless returned to Pendleton. A number of letters and documents from the Pendleton papers are in the Washburn collection, but when or where obtained is not known.

[1] *Journals of the Continental Congress* (L. of C.), II. 65.

MR. PENDLETON'S MOTION.

Resolved. That it is the Opinion of this Committee that the Members of the Present Congress ought to bind themselves and their Constituents by every tie which Wisdom, prudence and common danger suggest in a firm and Indissoluble league and union to stand by and support each other in defence of American liberty and procuring by all possible means a reconciliation with our mother Country. And therefore that no terms of Accommodation which may be proposed from Great Britain to any Colony separately, ought to be accepted or treated of by the Assembly of such Colony, but such treaty shall only be made and agreed to in a Representation of all in General Congress.

At the same time waving all resentment for the unmerited and unprovoked severities they have experienced from the British Ministrey and Parliament, and influenced by the most sincere and Ardent desire to return to their Connection and intercourse of Affection with that their Parent state, from which misrepresentations and evil Counsels have unhappily divided Us; that terms of Accommodation ought once more to be proposed thro' the Medium of our common Sovereign, and therefore [*Agreed*]

As the Opinion of this Committee that a dutiful and Loial Address ought to be presented to his Majesty reiterating our sincere Alliegience to his Crown and dignity, and our unshaken fidelity to his Royal person, family and Government.

To lament our unhappy situation, which subjects Us to the grossest misrepresentations so that Our dutiful and peaceable attempts by Petition and remonstrance to preserve a Right to dispose of our own money as English freemen, and a preparation to defend our lives and families.[1]

To declare in the most explicit terms that the ground and foundation of the present unhappy dispute between the British Ministry and Parliament and America, is a Right claimed by the former to tax the Subjects of the latter without their consent, and not an inclination on our part to set up for independancy, which we utterly disavow and wish to restore to a Constitutional Connection upon the most solid and reasonable Basis.

From a perswasion that the Negative of our Sovereign to all our Laws and the Power in Parliament of Regulating foreign trade for the Common benefit of the whole, are sufficient to preserve that connection and give the Parent State all her necessary weight in the Empire, we chearfully "consented to the Operation of all such

[1] This paragraph was stricken out.

Acts of Parliament as are *bona fide* confined to the Regulations of trade for common benefit excluding every idea of taxation Internal or external for raising revenue in America."[1] If we were misunderstood in this Point, to declare
limited in their Object and operation. And we shall be willing on our parts to have proper Commissioners to settle a of giving Constitutional Stability to that great Pillar of Connection and prevent all future disputes.

To repeat our undeviating willingness to contribute our just proportion to the necessary expence of defending the whole Empire; To make an honourable and stable provision for the Administration of Government in our Respective Colonies, provided our Legislators and Civil Officers are put upon a proper independant footing, and in time of Peace to provide for our own internal Safety and Security; that we consider and ever must consider the Monopoly of our trade in Point of Proffit to Britain and disadvantage to Us, as a full compensation for our proportion of the Expense of the Navy, so necessary for the Protection of the whole Empire; But if we are mistaken in this, and Parliament shall think proper to put us on a footing with our fellow subjects in Britain by as free a trade as they enjoy, we shall be ready, as in justice we ought, to pay a settled proportion of that expence.

That we are greatly concerned to find the only proposition made by Parliament for an Accommodation is of such a Nature that we can by no means accede thereto, since It is for the Substantial right of giving and granting our own money by a free Aid that we are contending, and not for the Shadow, or only the Mode of raising what a Superior shall command us to provide. And therefore, tho' we have always with sincerity expressed our readiness to exert ourselves for the Common defence in times of War, we always did it and must continue to grant Supplies upon Constitutional requisitions from by our Sovereign, on which we must judge of the Occasion and quantum of the Aid as well as the Mode of raising and application of it; And therefore to offer a Sum of money without any Object to direct Us as to the Quantum, or any Satisfaction to our Judgements of the necessity of any grant, would be a Step in the Dark we do not choose to make, more especially as 't is to be disposable by Parliament and may be emploid for our distruction, as we think a great deal of the National Treasure has lately been.

[1] These words are in substance taken from the statement of the violation of rights, adopted by the first Continental Congress, October 14, 1774. The paragraph in which they occur was prepared by John Adams, and aroused much opposition in Congress as aiming at independence. In its final form the paragraph remained as Adams wrote it. See his letter to Edward Biddle, December 12, 1774.

Once more to beseech his Majesty to interpose his Roial Influence for opening a treaty of Accommodation between his Subjects there and here in order to a lasting reconciliation and tranquility, before it is too late, and our common Enemies shall have availed themselves of the unnatural conflict. And in order to this desireable end, that the Troops may be withdrawn from Us and the several Acts of Parliament formerly objected to and those of the last Session on the disagreable Subject, repealed; when we on our part will do away all associations and other things disgusting to our brethren in Britain and then we may treat on terms becoming freemen and friends, and lay the foundation of a lasting and reasonable Connection: But if our fate is determined and there is no choice left us but absolute Submission to the Mandates of a British Ministry [1] or resistance, We are determined to embrace the latter and pursue it to the last Period of our breath appealing to Heaven for the Justice and Rectitude of our intentions; and trusting in the Almighty Power and as Vigorous exertions of all the Means he shall be pleased to Afford Us, for our Protection and defence.

Resolved, That this Committee highly approve of the Conduct of the people in the Massachusetts Bay in their spirited and successful Opposition to the Troops under General Gage who on the 19th of April marched into the body of their Countrey to ravage and Oppress them; And are of Opinion that all America ought to join in Supporting that Province in such Opposition and their necessary defence against all future Attempts of the like nature.

That for this purpose as well as to guard against all Invasions or Insurrections which may be meditated or attempted in other Colonies, the Number of Men following ought to be raised and embodied in the Several Colonies and Provinces that is to say in New Hampshire in the Massachusetts Bay [1] in Rhode Island and Providence Plantation in Connecticut in New York in New Jersey in Pennsylvania in the three Counties on Delaware in Maryland in Virginia in North Carolina in So. Carolina and in the Parish of St. Johns in Georgia to be emploied, as occasion may require, either for the [ ] defence and security of the Colony wherein they are raised, Or for the Assistance of any other pa[rt of] America where their Services may be wanting. Besides which the Militia throughout the Whole ought to be provided with Arms and Amunition and kept in constant training and exercise in the best manner.

Resolved. That for raising, Arming and Maintaining the Men so

[1] The first page of the MS. ends with this word, and the continuation of the sentence is found on page 3. The resolutions that follow are on the second page, and may thus have been prepared at a later day.

to be embodied, a sum of money ought to be raised by a Continental contribution in the following Proportion, that is to say, By New Hampshire £ , By the Massachusetts Bay £ , By Rhode Island and Providence Plantation £ , By Connecticut £ , By New York £ , By New Jersey £ , By Pennsylvania £ , By the Counties of Delaware By Maryland By Virginia £ By North Carolina £ By South Carolina £ and by the Parish of St. Johns in Georgia £ .

And in Case money cannot be borrowed immediately in any Colony to answer their Quota as aforesaid, such Colony to Issue notes of credit for the Redemption of whi[ch] the Public Faith of such Colony shall be pledged by their Provincial Convention, and in the said Par[ish] of St. Johns such Security given as shall be approved of by[1] the Redemption to be made by annual Proportions of the sum to be redeemed in each Province, so as to Call in and sink the whole within years after the Restoration of Peace between Great Britain and the Colonies and the Respective Legislatures of the latter shall have it their power to provide for such Redemption in a Constitutional way: And it ought to be earnestly recommended to every freind of American liberty to receive such notes in all payments and use their best endeavours to give them Credit and assist their General Currency throughout the Continent. The General form to be as follows:

"The Public Faith of the Colony of Virginia is hereby Pledged for the Redemption of this Bill (which is to pass for the sum of ten shillings) by the Payment of its amount *in gold at per Ounce, in Silver, at per Ounce, or in good Bills of Exchange upon Great Britain with a discount of per Centum for the difference of Exchange*, according to the terms agreed on by the Amer[ican] Congress at Philadelphia the day of 1775.

The device is to be now fixed (or if fixed in each Colony to be immediately commun[icated] through the whole and signed by the Deputies of each Colony to Congress, and also the Treasurer to be chosen in each Colony to Issue and Account for the money, who shall give proper Security to and Account with his Colony Convention. It is also recommended to the Several Committees of Counties and Corporations and all others to be vigilant in their endeavours to prevent and detect all attempts to Counterfeit the notes of Credit, and publish discoveries of such attempts.

That the Surplus of the money to be raised in each Colony beyond what is necessary to support its Troops to be raised as aforesaid, be as soon as possible paid by the Treasurer to the Committee of Correspondence who are to remit it to to be applied to the

[1] All blanks are in the MS.

Pay and Provision of the Troops so to be kept in the New England Governments and New York, and charged to Account of those Colonies respectively as they shall receive proportions thereof.

Mr. NORCROSS submitted copies of the following letters, belonging to Mr. George Clarendon Hodges, of Boston.

FROM THOMAS HUTCHINSONN to JOHN CUSHING.

MILTON, 30 July, 1767.

DEAR SIR, — I find you and I, and I suppose the rest of the world, are apt to be more sensible of some little slips we make which we imagine others take notice of, than some very great faults which are known only to ourselves. What you refer to was so very inconsiderable that if you had not preserved the remembrance of it I should never have once thought of it and I pray you never would again but let us both reserve our penitence for matters of more moment.

I wish I had any good news to comfort you. I believe what we hear from England is not without foundation. I am not sure that it will make us more disposed to peace and good order. It appears to me to have a very effectual tendancy to lessen the importance of some very bad men among us, but unfortunately it lessens at the same time some very important privileges which if it had not been our own fault we might have retained longer than you and I and perhaps any of our children shall live.

I have been wrote to upon the subject but I always scrupled saying any thing to forward or encourage such a measure and I know Mr. Jackson who had been so ill used by the country did not approve of it.

Otis says we shall know now who has been for supporting Acts of Parliament. I fancy if I might sell my interest in the Resolves of the House of Common he would give as much for it as any body. I assure you I set no great value upon it. If I was a young man I might make some advantage of it; but it 's too late in the day to lay schemes for years to come, and I cannot persuade myself that any new set of acquaintance in any other station would make my life more agreeable than it is at present.

What shall we do with Hawley? I can freely forgive him but how shall we save the honour of the court? Brother Lynde says it will never do to suffer him to plead before us without some submission. I am not sure that he will be of the same mind when we come to Springfield.

I desired Charles to send you one of my books. I don't hear of any criticisms yet upon any part of it. I have done with history but I don't know how to be idle. I think to go next upon biography, and to begin with our predecessors in the superior court. I have a good many anecdotes of Paul Dudley, Saltonstall, etc., but the most entertaining part will be from the lives of the present set. I know Goffe's history all the time he was at college, and I know enough of all the rest to keep you to your good behavior.

I will furnish you with a reply — *Nosce te ipsum.* I depend upon you to furnish me with memoirs of Clap.

But to be serious, I have got original letters and papers left, enough to make a handsome volume, which I think to print as I have no doubt many of them will be entertaining, some to one sort of people and some to another.

I have been here ever since our return from the Eastward, but intend next week to Boston. I am your affectionate brother servant

THO. HUTCHINSON.

JOSEPH WILLARD TO JUSTICES OF THE SUPREME JUDICIAL COURT.

CAMBRIDGE, Nov'r 4, 1786.

GENTLEMEN, — During Governor Bernard's administration in this Commonwealth [then Province] the General Court granted, to certain Proprietors, a number of townships, I think twelve, between Penobscot river and St. Croix; in each of which, they expressly reserved a lot for Harvard College. The jurisdiction was then in dispute, and so remained till the revolution; but the Proprietors, nevertheless, took possession and formed settlements.

The General Court, since the acknowledgement of our independence, have confirmed some of those townships. By a resolve of June 21, 1785, they confirmed four, without making any reservations of lands to the College.

I am informed, that about ten days ago, a motion was made in the lower House, to confirm the [lots grant]ed by former grants to the College, in the [above menti]oned townships; but it was strenuously [opposed a]nd nothing was done.

[So]me Gentlemen have given it as their opinion, [that by t]he Constitution of the Commonwealth, the College is entitled to those lands, without any confirmation from the General Court. As it is an affair of some magnitude to the College, I should be much obliged to you, Gentlemen, if you would, when you can find leisure, look into the Constitution; and if it should appear clear to you, that the College has a right to the lots formerly granted in those townships,

though not confirmed, I should esteem it, in behalf of the College, a great favor, if you would communicate your opinion in writing.

I have the honor of being with sentiments of the highest esteem and respect, Gentlemen, your most humble servt.

JOSEPH WILLARD.

WILLIAM CUSHING TO JOHN JAY.

BOSTON, November 18th, 1789.

SIR, — Having the honor of an appointment as one of your associates on the Supreme federal bench, I must beg the favor of a line from you respecting the time it will be necessary or convenient for me to attend at New York. If not inconvenient, I purpose to delay going till some time in January. As to the stile of writs, etc., which seems to be left to the determination of the Judicial, I am informed your opinion is that it should be in the name of the President of the United States, to which our district Judges here will conform, and which I think is right. By the Act regulating processes, the Supreme Court is to provide a Seal for the Circuit Courts. The district Judges to provide their own Seals. As it is said there are persons here who wish to commence Suits immediately in the Circuit Court, as soon as a quorum of the Supreme Court come together to take some order in that matter, would it not do to direct that the seal of that district Court might be used for the Circuit Court till further order?

I am informed that Mr. Sedgewick has wrote to you recommending Mr. Tucker for a clerk of the Supreme federal Court. He studied law with Mr. Lovell, after which he was, about five years ago, appointed one of the Clerks of the Supreme Judicial Court of this State; and has conducted to general approbation, is a Gentleman of good sense and agreeable temper and manners, a man of virtue and integrity.

I observe the law has prescribed the form of an oath for us, but has not said who shall administer it. I should be glad of your opinion relative to any of these matters, or any others respecting the business we are about to be engaged in, that you may think proper to mention.

I have the honor to be with high regard and esteem, Sir, your most Obedt. humble Servant

WM. CUSHING.

TIMOTHY PICKERING TO WILLIAM CUSHING.

DEPARTMENT OF STATE, January 27, 1796.

SIR, — The President of the United States desiring to avail the Public of your services as Chief Justice of the Supreme Court of the

United States, I have now the honor of enclosing the Commission, and of expressing to you the sentiments of perfect respect with which I am, Sir, Your most obedient servant,

TIMOTHY PICKERING.

WILLIAM CUSHING TO WASHINGTON [?].

PHILADELPHIA, February 2, 1796.

SIR, — After the most respectful and grateful acknowledgment of my obligations to you for the appointment you have been pleased to make of me to the office of chief Justice of the United States, and to the hon. the Senate for their advice and consent to the same; and after considering the additional care and duties attending on that important office, which I apprehend my infirm and declining state of health unequal to the weight of, I must beg leave to retain the place I have hitherto held, on bench during the little time I may be able, in some measure, to perform the duties of it, and pray that the *return* of the Commission for the office of chief Justice inclosed, may be accepted, and another person be appointed thereto.

I have the honor to be, with the greatest respect, Sir, your most obedient servant

W. C.

ABIGAIL ADAMS TO MRS. CUSHING.

QUINCY, March 5, 1811.

MY DEAR FRIEND, — I believe I may say with truth, that I have been your daily visitor through the dreary season of winter, and altho not visible to you, I have sometimes seated myself by your fire side, and held sweet converse with you; and not unfrequently regretted that it was not my good fortune to have been situated near your dwelling; then would your cheering countenance have enlivened the confinement I have experienced since I saw you.

That week I was taken sick; and am now only leaving my chamber: the weather has been so unpleasant, and the roads so obstructed by snow, that I have not been able to get abroad.

You will see by the publick papers that the president has nominated, and the senate unanimously appointed my son, as successor to your late, and ever dear Friend, in his office as judge, altho I know by information received early in the session from Washington, that it was his wish to do so, I considered his absence, as an insurmountable objection. I also knew what interest, what importunate interest would be made for many candidates.

The appointment was altogether [unexpec]ted both to the president and to me, the unanimity with which [it was] assented to, and the general satisfaction which it appears to [give to a]ll parties, will I hope and trust induce him to accept [the appoin]tment, which so honorably calls him back to his native [land and] which I hope will shield him from that spirit of [animosi]ty which has so unjustly assaild him. It will place him [out of re]ach of competition for office, which occasions so much envy and jealousy amongst all parties. I had rather have him hold the office of Judge, than that of any foreign embassy or even Chief Majistrate of the United States. I think my Dear Friend you will be gratified that the seat your Friend so honorably held, and so faithfully discharged will not be disgraced by his successor.

Both his Father and I have written to him, to urge his acceptance of an office, which he has heretofore, when mentioned to him, exprest a reluctance to filling if ever he should be appointed to it.

He will now have many motives to consider what then appeard to him, a place for which he did not consider himself adequate to.

I know the interest you take in whatever concerns your Friends, will plead my excuse, for making myself and Family the subject of this Letter. Pray let me hear how you are. My regards to your Sisters, and believe me at all times Your truly affectionate Friend

ABIGAIL ADAMS.

Remarks were made during the meeting by Messrs. MEAD, HART, W. R. LIVERMORE and SANBORN.

Edward J. Young.

MEMOIR

OF

REV. EDWARD JAMES YOUNG, D.D.

By JAMES DE NORMANDIE.

Edward J. Young was born in Boston, April 1st, 1829 — the eldest of twelve children.

His father, the Reverend Alexander Young, D.D., was for nearly thirty years minister of the New South Church, or the Sixth Congregational Church in Boston, at the foot of Summer Street, generally known as Church Green.

Dr. Young was a typical Unitarian clergyman of that day, a cultivated gentleman of a kindly and genial spirit, gifted and accomplished as a preacher, of a grave and rather stern bearing, an intense lover of books, possessing a remarkable library, having a large acquaintance with the best English literature, and was a most exact historical writer.

It is interesting to note in how many ways the subject of this memoir followed in the offices and occupations of his father. Alexander Young studied at the Boston Latin School; graduated with distinguished honor from Harvard College in 1820; was assistant teacher in the Boston Latin School; graduated from the Divinity School at Cambridge; was Secretary of the Massachusetts Historical Society; member of the Society for Promoting Theological Education, of the Massachusetts Congregational Charitable Society, and of the Society for Propagating the Gospel among the Indians and others in North America, and Doctor of Divinity in 1846. Edward Young was also a member of all these societies, and in every one was esteemed for his fidelity and good judgment.

He attended the Chauncey Hall School, then under the charge of Gideon F. Thayer, and the Boston Latin School when

Epes S. Dixwell was the esteemed principal. Here he received several prizes and the Franklin medal, and had the valedictory upon graduating. At Harvard College he received a detur in the sophomore year, had a part at the junior exhibition, a first prize from the Boylston prize for elocution, and at Commencement delivered the English oration, on "The Reciprocal Influence of the Old World and the New." He was a member of the Institute of 1770; of the Natural History Society, and of the Phi Beta Kappa. He writes in a letter of being so well fitted for college that he had little to do in the first year, that his education was chiefly a drill in memory, and that there was no familiar footing of the scholars with the professors.

Graduating at nineteen, in 1848, he did not feel that he was prepared to enter the Divinity School, and so taught for a while in the Brimmer School and the Public Latin School in Boston, and prepared private pupils for advanced standing in college, spending the money he thus gained for books. In 1849 he considered for a time the plan of going to Philadelphia to establish a classical school. He was urged to do this by several who regarded him as eminently fitted for such a work. John T. Sargent speaks of his singular aptness to teach. Professor Felton writes that he had greatly distinguished himself in college, and had been a very successful teacher; Edward Everett recommended him highly, and Dr. Furness urged him to come. But although enjoying teaching, he felt all the time that his place was in the ministry, and in 1850 he entered the Divinity School at Cambridge. Here for a time he was not a little disturbed at the unsettled conditions of thought in regard to the Bible and in regard to many of what he had considered the essential doctrines of Christianity. The higher criticism, the fruit of great learning and of devout consecration, upon the results of which there is now a general unity of thought among scholars and in which we rest so securely that we know there is not a single point which can disturb our faith in great spiritual verities, was unknown. The tendency to a bold radicalism was strong and increasing. It was the radicalism of some of the German school of theologians which was loudly denounced, but the denunciation seemed to him unfounded, for few of those who denounced it could read German or could fairly enter into their view. In a controversy between Andrews

Norton and Mr. Ripley it was said that the latter could read German but Norton could not. Mr. Young thought there was little thorough work among the students, and he had the scholarly instinct and training to be thorough. At this time he showed a marked sympathy towards Theodore Parker, whose South Boston sermon had stirred the whole community — not altogether towards his views, but because he felt that he was being condemned and persecuted while no one had shown sufficient knowledge to answer him.

After studying for two years in the Divinity School at Cambridge, all the time growing more and more interested in, and more and more perplexed and questioning about, the great questions which were moving the theological world, and feeling that he must go where the leading theologians of the world with profound scholarship were studying them, he borrowed money, insured his life for its payment, and took a sailing packet from New York to Hamburg, to pursue his studies in Germany. The voyage occupied thirty-five days. He spent four years in Germany, one year a student at Göttingen, where he heard lectures by Ewald, Lücke and Gieseler, and then three years at the University of Halle, where he studied under Hupfeld, Julius Müller, Roediger, Tholuck, Erdmann and others.

He entered into the life of a German student with great enthusiasm and joy and diligence. He writes: "An American student in Germany is not distracted by daily news and papers — there were none. He lives in a scholarly and literary atmosphere. He is in the presence of men who have given their lives to study, are famous by their books, and he catches inspiration from them," and then adds, "It is a great thing to look at one's own country from a distance."

Of some of the students at the university he had not a high opinion. One never went into a lecture-room, but spent his time in fighting duels. He had been there several years and could not graduate. The Emperor William, on a visit to Bonn, expressed the hope that his son would do as all the rest did, drink beer and fight duels.

Mr. Young is enthusiastic about some of the professors. "Tholuck conversed with each one of several nationalities, at the table, in his own language. He said to me, 'When I go to

church I do not want to hear an argument, I go to have my heart touched.' Dorner's last words were, 'The old truths require new statements.' Bunsen was a splendid-looking man, and such an admirer of Channing that he called himself a Channingite. Baur impressed me greatly. An old man; heavy folios all over the floor of his study. He had lost his wife, and said he had little other satisfaction in life than in study and in his works. He was willing to yield this or that point of biblical criticism, but thought the great question was whether the Gospel of John did not belong to the middle of the second century."

Ewald seemed to Mr. Young like an old Hebrew prophet. Tall, with a sonorous voice, full of fire and moral earnestness; never sitting down during his lectures, but erect and vigorous. "I cannot describe," he says, "the enthusiasm with which I attended his lectures. Like most German professors, he seemed to think that if *he* had not written the convincing word upon a subject, no one had. He never referred to any books but his own. His papers were all disfigured with his political diatribes. His bitterness against Gesenius was very marked, and he prayed 'O Jahve, show that fool,' — but you felt as if you were listening to David himself. He made the Psalms real and vivid, because he set them in their appropriate framework; as if a fighter and a monarch were behind them. The predictions against Tyre he constantly applied to France and Napoleon. The Old Testament became an entirely new book in his treatment of it."

He describes Alexander von Humboldt as a small figure with penetrating eyes and a fine forehead, who read and wrote very late, slept only a few hours, and was very bitter against American slavery.

While in Germany Mr. Young secured for the Cambridge Divinity School, through the interest of Dr. Noyes, the valuable theological library of Lücke, and he was authorized to offer to Yale and Harvard the valuable manuscripts of the New Testament, some of them double palimpsests which Dr. Tischendorf, who had just then returned, brought with him from Mount Athos, but vainly endeavored to have the universities purchase them. Harvard's reply was, "We have no money for such things, which will only gather dust in the library."

During the last year of his diligent and rich student life in Germany, Mr. Young began the translation of Erdmann's *History of Philosophy*, and completed the first volume.

Sir William Hamilton writes: "With regard to the translation itself, the difficulties to be overcome cannot be sufficiently appreciated except by those who have a clear conception of what it is required to do, and of the mode in which this may best be done. I have seen enough of Mr. Young's translation to be convinced of its fidelity and excellence in every essential respect. It is clear and idiomatic in style, as indeed is the original; it embodies many new additions, communicated by the author, and contains various annotations which will be found of peculiar value by the non-German reader."

Dr. Tholuck says: "With respect to the ability of the translator for such an undertaking, I will not enlarge further than simply to say that he combines in a high degree an accurate knowledge of the German language with acuteness, judgment and taste."

Humboldt says: "Professor Erdmann has found in Mr. Edward J. Young a faithful and worthy interpreter of his ideas and sentiments — being intimately acquainted with the genius of the German language, and having completed his literary education during a residence of several years at two of our celebrated universities. Elegance of diction, suggested by the ideas themselves, enlivens the delineation without impairing the perspicuity."

And Prof. Noah Porter says: "Mr. E. J. Young has, in my opinion, important advantages which promise well for success, — a mastery of the German language and of the philosophical dialect of the Germans. He proposes also to make this translation at Halle under the eye and with the assistance of the author. He is a thorough student, a successful teacher, very painstaking, and his style is accurate and vivacious."

But Mr. Young did not complete the translation, because he could find no publisher willing to take the risk of bringing it out.

Several of the German theologians were most enthusiastic in their praises of Mr. Young's scholarship, and prophesied a high place for him among the theologians and preachers of New England, and were his friends and correspondents until they died.

In 1856 he returned to Boston, with such scholarly preparation as hardly another of our clergy had at that time, and after being approved by the Boston Association of Ministers was ordained as minister of the Channing Church at Newton, June 18, 1857, and there began a ministry of twelve years, of diligent work in and outside his church, and of large results and endearing ties. A most acceptable minister, a preacher of fine literary and spiritual expression, endeared to all his parish and prominent in every work of a good citizen, so that when he resigned he received a valuable testimonial signed by all the prominent citizens of every political complexion and all religious denominations, in recognition of his services in behalf of the schools, the library, and all the social, philanthropical, and religious interests of the town.

He was married in 1859 to Mary Clapp Blake, daughter of Mr. James Blake, of Boston, by whom he had five children: Edith Loring, Edward Blake, Caroline James, Herbert Everett and Charles Franklin.

In 1868 he was appointed a professor in the Boston School for the Ministry, which was established to meet what was thought to be a demand of the time, to prepare young men for the ministry without the classical or elaborate work demanded by the old theological schools, but which, after a short period, was abandoned.

In 1869 he accepted the position of Hancock Professor of Hebrew and other Oriental languages, and Dexter Lecturer on Biblical Literature, in Harvard Divinity School. To the duties proper of this professorship he at first, as Professor Noyes, his predecessor, had done, gave instruction to the students in criticism of the New Testament. The necessity for this was however removed in 1872 by the foundation of the Bussey Professorship of New Testament Criticism, so that Mr. Young was left to fill the chosen position for which he was better qualified than almost any one filling the same chair at any of our theological schools, and entered upon the work with great earnestness and joy, and with a large measure of success until 1880.

Two difficulties beset his professorship. There was a growing disinclination among the students to pursue the study of Hebrew, and it was almost impossible to make it attractive.

More and more it was thought that as it was impossible to become proficient in it during the short time set apart for it, and more and more as the profound students of that language were devoting their whole work to the Old Testament and the results of modern criticism; and the scientific method and the historical method, were bringing such startling results to those who had rested upon the old views of inspiration and interpretation, — it was better to accept these conclusions based upon the higher authority of learned and consecrated students; for what profit could the study of a few months for two or three years give!

The students of the Harvard Divinity School were not alone in their repugnance to the Hebrew. It was said that at Andover the Hebrew department was so dry that Professor Park's lectures had to be brought in to float it. All Professor Young's enthusiasm for the language as a good equipment for theological students, which he felt had been a great gain to him in Germany, could do little to stem the current against it. A pamphlet he wrote on "The Value of Hebrew for a Minister" was the earnest appeal of a true scholar, and attracted much attention. Samuel Davidson, the eminent theologian of the University of Halle, and author of "An Introduction to the Old Testament," praised it highly, and Dr. Holmes wrote to him upon receiving a copy: "Almost thou persuadest me to be a Hebraist. I got so far as to know Aleph, but honestly I had quite a lively appetite excited by your discussion for a full meal of those old square letters."

In the letter praising Professor Young for his pamphlet on "The Value of the Study of Hebrew for a Minister," Professor Davidson has this interesting passage: "Age dulls the appetite for locomotion and makes one content at home till the summons comes for final departure. The longer I live I have the stronger faith in that personal and glorious immortality which awaits all human beings, under the moral government of a just and beneficent Father. None was ever created to be destroyed or tortured forever."

Nor was Mr. Young alone in the discouragements about the study of Hebrew, which gave the impression to the authorities that he was not giving satisfaction in his work. Wigglesworth, writing in 1653, says: "My pupils all came to me yesterday to

desire they might cease learning Hebrew. I withstood it with all the reason I could, yet all will not satisfy them. Thus am I requited for my love, and thus little fruit of all my prayers and tears for their good. God appeared somewhat in inclining the spirit of my pupils to the study of Hebrew, as I had prayed that God would do. I was much perplexed in mind with many thoughts to and fro about leaving the college, one while ready to and resolved upon it almost and quite another way, and I know not what to do. How to live here and keep a good conscience because my hands are bound in point of reforming disorders, my own weakness, and pupils' froward negligence in the Hebrew still much exercise me. Yet for all this trouble God hath been with me in my personal studies, for this day I began and finished all that part of my synopsis which treats about method."

Sidney Willard also writes: "My Hebrew classes were small, much as they had been in past times. In translating a Hebrew word, the eyes of a pupil would sometimes wander and seize upon the wrong Latin word in the margin for its meaning, producing a ludicrous effect. One of the students, a grave youth who never meant to do anything wrong, acquired the habit of translating the Hebrew word Jehovah into Jupiter. I suppose there were and are scholars who might excite some zeal in the study of the oriental languages; *but the general impression is and ever has been at our university* that the value of such learning does not repay the labor and pains necessary to be undergone in its acquirement. I once asked Professor Stuart whether there were many good Hebrew scholars in his classes; and his reply was emphatically, and in substance, *very few.*"

On the 26th of February, 1880, Mr. Young offered his resignation as Professor in the Divinity School at Cambridge. Many changes were proposed in regard to the school. It was to become entirely unsectarian in its teaching force, and the chair which Professor Young had filled was wanted by the Governing Board for one who was thought to be of more value and distinction in carrying out their plan. His pupils for several years sent ample and overflowing tribute to his fine scholarship, to the thoroughness of his work, to his personal interest and guidance, but it was decided that a change must be made, and

Professor Young had no desire to stand in the way of what he saw had been determined upon, and so he parted from the school, but it broke his heart. It was an overwhelming surprise; it wounded him as being to others a rebuke to his superior scholarship, for which he had spent so many years of faithful study, and in which he had a just pride. Life was never quite the same to him afterwards. He bore it all with a beautiful and uncomplaining spirit, without reproach to others even in the depth of a feeling that he had been arbitrarily and not quite fairly dealt with.

He immediately returned with an undivided interest to the ministry, which was always dear to him, and after invitations to two or three good parishes was settled over the First Parish in Waltham in 1880.

The offices in two societies which Mr. Young held for many years were most congenial to his studies and his nature. From 1874 until 1899 he was secretary of the "Ministers' Club," founded in 1870. At the time this club began there had been no such clerical gathering in this, or perhaps in any other country. It included representatives of several denominations, many high in ecclesiastical positions and in various institutions of learning, representative men in theology. The idea of the society may have been suggested by an earlier one in England called the Metaphysical Society, which description was supposed to be rather wider than that of a theological or a scientific club. It included such persons as Dean Stanley, Dean Alford, Cardinal Manning, Huxley, Tyndall, Gladstone, Dr. Carpenter, Morley, Mivart, and many others, but after twelve years came to an end, because, as its founder stated, "there seemed very little to be said which had not already been repeated more than once." At one of these meetings Ruskin declared, "If a second Joshua to-morrow commanded the sun to stand still, and it obeyed him, and he therefore claimed deference as a miracle-worker, I am afraid I should answer, 'What! a miracle that the sun stands still? Not at all. I was always afraid or expecting it would. The only wonder to me was its going on.'"

But the Ministers' Club has continued for over forty years with no decline of interest, unity, fellowship and harmony. It seems to have won the strong attachment of all its members, and no one of any sect has left it without the strongest expres-

sions of regret. One writes: "Absence from our monthly gathering always leaves a felt blank and void in the monthly life." Another, "The spirit of unity and charity in diversity is a glimpse of heaven which I am loath to lose." Another, "This removal unsolders the goodliest fellowship of its kind I have ever known or expect to know on earth." Another, "I shall keep a vivid memory of the sweet and Christian temper which has characterized the discussions and which has been to me an education in the true spirit of free thinking and free expressions." The great verities of religion were regarded as more important than their sectarian badges; but while each one was frank and outspoken in his views, all felt there was something deeper and more valuable than intellectual opinions — and so they have always kept the unity of the spirit in the bond of peace; and no one helped more to preserve and deepen this spirit than Dr. Young through his long secretaryship. When at last he felt he must give up, the following note was sent to him:

MY DEAR DR. YOUNG: The Ministers' Club at its meeting held at the Brunswick Hotel, April 6, 1899, requested me to express to you in their behalf our sense of indebtedness to you for the services you have rendered as the Secretary of the Club for these past twenty-five years. We recognize that we owe to you in great measure its continued existence, and that without interruption it has gone on from month to month and from year to year in an orderly, harmonious sequence of meetings. We recognize gratefully the time and care you have bestowed upon all the details of its administration, which must have called for great patience; your never-failing promptness and punctuality in keeping us to our duties; your unvarying kindness and high Christian courtesy; the dignity and distinction with which you have clothed your office. You have given to what must often have been irksome drudgery a certain graceful and divine quality, as though all had been done by you under a sacred sense of responsibility to our common Lord and Master. We thank you for all that you have done for us, in the conviction that essays and discussions of the Club have been a participation, however imperfect, in the eternal reality of the Divine Truth and Wisdom, and that in recognizing our obligation to you we are asserting our faith in Him who has inspired and sustained you in working for us.

In behalf of the Ministers' Club,
Yours very faithfully,
ALEX. V. G. ALLEN.

When the letter was read, there was a general expression of the members that Dr. Allen had emphasized just those traits in Dr. Young's character which many of us had recognized and loved for many years both in and out of that goodly fellowship.

Another office which Mr. Young held for many years and which was very congenial to his tastes and studies was that of Recording Secretary of the Massachusetts Historical Society, to which he was elected in 1883.

This office he resigned in 1898, but, at the urgent request of the Society, withdrew his resignation and retained the place until 1906, having fulfilled its duties most acceptably longer than any of his predecessors.

To this office he brought the care and faith and accuracy which marked all his work. Indeed he was always interested in historical questions, which he pursued in the true historical method. Among the numerous papers, orations, articles, biographies, sermons, pamphlets he communicated to various periodicals and societies none are more valuable or show more research than those of an historical nature. It is unnecessary to name all of these, but among them those of a less transient and more important character are as follows:

Address at the laying of the corner-stone of the Newton Free Library.

Remarks at the Centennial Anniversary of the Birth of Alexander von Humboldt.

Dedication of the Soldiers' Monument in Newton.

Address at the Bi-Centennial at Sudbury.

Subjects for Master's Degree in Harvard College, 1655–1791.

The Early Religious Customs of New England. Address at the Two Hundredth Anniversary of the Building of the Meeting-House in Hingham.

Remarks at the Celebration of the Four Hundredth Anniversary of the Birth of Luther.

Remarks at the Dedication of the Library in Lincoln.

Address at the Quarter-Millennial Celebration of the Towns of Sudbury and Wayland.

The Value of the Study of Hebrew for a Minister.

Memoir of Samuel Abbot Smith.

Memoir of Professor J. Lewis Diman, D.D.

A Tribute to the Memory of Henry Bigelow, M.D.

Mr. Young was a Fellow of the American Academy of Arts and Sciences, a member of the American Oriental Society, of the Massachusetts Congregational Charitable Society, of the Society for Promoting Theological Education, of the Trustees of the Hopkins Fund, and of the Colonial Society of Massachusetts. He received the degree of A.M. from Harvard College in 1851, and the degree of D.D. from Tufts College in 1887.

Dr. Young, without any of the appearances of age, felt somewhat its infirmities, and was obliged to give up the secretaryship of the Massachusetts Historical Society in 1906, and after a few months of failing strength died at his residence in Waltham on the 23d of June in that year. A large number of friends of many years gathered for the funeral services, at which the following tribute was paid to his beautiful character:

We pause for a moment on our way to the grave, in this home of such sweet affections, not for tears, nor grief, but for a word of gratitude for the memories, the friendships, and the strong chord of human fellowship that have bound us all to our brother. No word or deed can come back to any of us not in entire keeping with the finest spirit of a true Christian man, a true Christian minister, a true Christian teacher, a true Christian citizen, and a faithful friend who is the medicine of life — and all of you who have seen him come in and go out among you on these streets and in these homes for a quarter of a century, will bear witness to this. What a priceless legacy is this to those bound most closely to him in filial love and devotion.

He came to his life-work in the ministry not only with the careful training and the beautiful spiritual example of a father who was the minister of one of the leading congregations of Boston, but with what was rare in those days, a thorough preparation in the German universities and in close acquaintance with some of their most distinguished theologians, and brought back the results of a well-trained and well-stored mind for all his future work. His views of life and of religion broadened and deepened with time, and seemed only to mellow and ripen all his nature.

Blameless and unostentatious, rigidly just and charitable to the opinions of others, with a happy union of courtesy and kindness; of sterling worth which courted no observation and

no publicity, but revealed itself more and more fully with every stage of growing intimacy; modest and retiring before the great truths of the universe, and yet conscious of his life-long study of them, — here was a life strong in its gentleness, loyal in its love, firm and independent in its reverent dependence.

He was ever looking for those deeper religious realities which lie at the heart of things, which only could bring sects and churches and lives together beneath the names they bore. He cared for no knowledge that was not illuminated by love, and it was impossible for him to say a harsh or ugly word of another, even when he felt he had been unjustly blamed, — he bore outwardly with a brave spirit a burden which took the enthusiasm, but not the working power, out of his life.

Faithfulness marked every act of his life, as minister, as professor, as citizen; in all literary and benevolent offices, in friendship, in all those sweet domesticities which by his influence gathered added richness through all his years. The test of religion was to him simple righteousness; the effort to know and obey and walk in the right path was to him the supreme obligation, the deepest secret and proof of the spiritual life. He did not pause to ask from what mine the precious stones that reveal the just and honorable came, but only that the gem was real.

The words which belong to these moments are not so much eulogy as of the thought of immortality. No one was ever argued into a belief in the future life, but the heart easily accepts that which to logic is ineffectual.

We take comfort in thinking that in the case of the young who go from us there must be some other realm, some other opportunity to fulfil the promises so suddenly gone out here. Here where we never quite reach our ideals, nor embody our conceptions, where our endeavors are so far beneath our attainments, this constant outreaching, upreaching seems to point to a future of longer and higher and more fruitful service — but there is something which comes to us at times with a still deeper assurance upon a subject where no actual knowledge has been vouchsafed unto us, and where the veil lifts and drops too suddenly for mortal vision to look through. When all the powers which relate to this present existence decline, *character* grows and deepens under the lengthening shadows

and is never so radiant or attractive as in the latter days of a devout and kindly pilgrimage. Now this growth in what constitutes spiritual life, this culminating as one declines, is what, in the presence of age, the heart invests with the quiet hope of immortality.

In the churches to which he ministered, in this community, in this home, in the large circle of his friends, we shall be grateful for years to come for the companionship, the helpfulness, the faithfulness, the affection, of that influence which belongs to what is unseen and eternal, and we will say: Blessed be Thy name, O God, for the memories of all these years, and blessed be Thy name, that with gracious and tender loving kindness Thou hast opened to him ways of higher service.

And if he could speak to us to-day we are sure it would be in words of a most tranquil faith, "I am quite ready to put my hand into that of the summoning Angel and say, 'Lead on, O messenger of God our Father, to the next place whither the Divine Goodness calls me.'"

How beautiful life grows in the thought of such a life; how friendly death appears in the thought of such a death.

The path for him ran how clear over the shadowy valley into the Kingdom of Light.

John Noble

MEMOIR

OF

JOHN NOBLE

By ROBERT S. RANTOUL.

JOHN NOBLE, a Resident Member of this Society from March, 1899, until his death, will live in memory for his balanced and attractive character, and through the monumental labor he accomplished in preserving and arranging and opening up to general use the Colonial and Provincial Records of the Courts of the Commonwealth. Not since Dr. Palfrey's day has any one made a more substantial contribution to the annals of our State. For this rare work he was specially fitted by his New England extraction, by his strong antiquarian leanings, and by his finished education. His family-tree struck its roots deep in our native soil. A paternal ancestor was probably at Marblehead as early as 1678. One of his maternal ancestors was, in the first Boston decade, the owner of Copp's Hill, and a brother of John Noble, the eminent Boston educator, George Washington Copp Noble, perpetuates in his name the family association with that historic spot. The first American generations of the Nobles of the Sea-Shore were seafaring folk, affecting Bible names. The Nobles seem also to have had a habitat in Western Massachusetts. A Lazarus Noble was in Portsmouth, New Hampshire, as early as 1696, — possibly a son of Christopher Noble who was in Portsmouth in 1684, and who was thought to have been in Marblehead in 1678. Moses, the son of this Lazarus, was, with his wife, who was Mary Staples, at Portsmouth in 1731, where their son Moses was born, and where he died in 1796. There was a Lazarus Noble of a later generation, who experienced, in 1753–1755, the unutterable horrors of Indian captivity, — both he and his family, — and, es-

caping himself, was sent back by Governor Shirley to Quebec, to conduct a prolonged negotiation in the name of his Majesty, thinking that he might secure, through ransom, threats and appeals to the chivalry of the French, the release of his tender children, — some of them girls, and sons named John, Matthew, Benjamin and Joseph, — all sold to the French for slaves by their Indian captors. The wife of the second Moses was Hannah Jackson Simes, a daughter of John Simes, who came from Devonshire to Portsmouth in 1718, and married there.

The second Moses Noble had a son John, born at Portsmouth in 1761, who there married Sarah Chadbourne, and who died there in 1818. Sarah Chadbourne's pioneer ancestor, William Chadbourne, came in the *Warwick* in 1631 with Mason and Gorges, and remained at Portsmouth, then called Strawberry Bank, where he is thought to have built, on a hillside buried in strawberry vines, the "Great House" which dominated and gave name to the place. This John, the son of Moses Noble, had a son Mark, thus tracing from the Chadbournes and Langs of Portsmouth as well, born there in 1802. He married Mary, a daughter of George Washington Copp, and a granddaughter of Colonel David Copp who commanded a company at Bunker Hill, — there were Nobles and other Copps at Bunker Hill, — and who served throughout the War of Independence, and later, for years, sat in the legislature of New Hampshire. Copp's Hill at the North End of Boston was the residence of an ancestor as early as 1635. One of the Copps was an elder of Cotton Mather's church. Sewall attended his funeral in 1713. One of them had prescience enough, as early as 1776, to name a son for George Washington. One of them had been praised by his Commander-in-Chief, when on guard duty, for stopping Washington's carriage because the countersign was not forthcoming. Mary Copp's mother was a Palmer, a granddaughter of Barnabas Palmer who came from the north of Ireland in 1741, and, four years later, lost an arm at Louisburg. He also sat in the legislature of New Hampshire, and he married a granddaughter of Ann Dudley Hilton, who was descended from Justice Hall of the Supreme Court of New Hampshire and also from Ann Dudley, the first woman in New England to disclose the lyric gift, — she it was whom Mather welcomed as the Tenth Muse.

Mark Noble and his wife, Mary, were the parents of John Noble, the subject of this memoir, who was their eldest child, born April 14, 1829. Mark Noble was at that time a conspicuous citizen of Dover, New Hampshire, and was soon after the president of a savings bank at Somersworth, New Hampshire, whither he had removed. A portion of this latter township, lying upon the boundary-line of Maine, and upon the fine water-power of the mountain stream which divides these States, was afterwards set off under the name of Great Falls, and there Mark Noble died in 1869. But the Nobles had lived to repeat the error Washington made, when he chose for private investment the eastern section of the newly projected national capital which was to bear his name, supposing, as everybody did, that its population and growth were sure to take an easterly direction. The region of Mark Noble's residence had its halcyon day, when a mushroom-growth of mills and other industrial structures sprang up to utilize the beautiful falls of the river, and when prices advanced with leaps and bounds, and dwellings could scarcely be provided or house-lots plotted fast enough to meet the growing needs. Then came the panic of 1856, followed closely by the Civil War. Real-estate investments became unproductive. Mark Noble's prudent husbandry of his modest accumulations availed him nothing. His health had failed him, and his death followed close upon the war. On the same day in August, 1869, he and his wife Mary passed away. The slower and healthier growth of the place which gradually succeeded came too late for the relief of the family exchequer. If every man is doomed, at some time in his life, to meet his share of disaster, John Noble was thus early called to confront his share. His parents' death left him, at the age of forty, with sisters and helpless dependents leaning on his aid.

He fitted himself for college at Phillips Exeter Academy and was graduated at Harvard in 1850 with the first honors of his class, and what Dr. Everett rated the highest stamp of class-distinction, its choice as class-day poet. From 1850 to 1856 he found congenial work as usher and sub-master at the Boston Latin School, and in the year last named entered the Dane Law School, adding, in 1858, to his Harvard degree of A.B. that of LL.B. He was at once admitted to the bar, and established himself alone, in the spring of 1859, in an office on Court

Street, Boston. Two years later, we find him sharing rooms with an older professional friend, at number 20 Court Street, but, his practice not growing in the ratio of his needs, he continued to receive private pupils who were prompted, by his success as a teacher at the Latin School, to secure his aid in preparing themselves for Harvard. Finally, in the autumn of 1869, he became a roommate of the writer, the two sharing offices in Pemberton Square, but, as in the former instance, contracting no business relations. Here he continued his course of private teaching, and the association with the writer was only dissolved in 1875, when he accepted an appointment to the Clerkship of the Supreme Judicial Court for Suffolk County.

A personal digression may be pardonable here. In January, 1865, I had been commissioned by Lincoln as Collector of the Customs at Salem, and in June, 1869, I had been displaced at the instance of General Butler. It was thought well for me to try the experiment of renewing a law practice in Boston rather than in Salem. Mr. Noble happened to be just then in search of rooms, and, though he was known to me only as a name, but as a name with a fragrant aroma about it, we allowed ourselves to be brought together as co-tenants, through the friendly offices of Darwin E. Ware, whom we both knew well, and whose voucher was quite enough. For six years from the autumn of 1869, Mr. Noble and I were in daily contact, leasing rooms in the Sigourney house, then converted, like so many dwellings in that section, for business purposes. From being a favorite residential quarter, Pemberton Square had become a favorite resort for lawyers, architects, and those of other callings which demand retirement. It was central and accessible but, above all, it was noiseless. Not many years before, it had been the chosen home of such conspicuous citizens as Mr. Winthrop, John Amory Lowell, and Ebenezer Francis. Not many years later, its whole western side, embracing the Somerset Street residences of Mr. Webster and of Colonel Thomas Handasyd Perkins, was to make way for the new Suffolk Court House, where Mr. Noble did his most important work. It was an eligible resort for our requirements, but a gruesome episode attaching to our occupancy will not permit itself to be forgotten. The last renewal of the lease was executed by Mr. Sigourney

just as he was taking a train for New York, accompanied by his entire family with the exception of one son who was left at Harvard, to embark for Europe on the fated *Ville du Havre*. The disaster which overtook that steamship left the son at Harvard the sole survivor of a vanished household!

Neither of us obtaining practice enough to fully occupy our time, Mr. Noble had recourse to the work of private teaching, which he had so successfully followed, and I to writing for the daily press. My roommate recalled, with no small measure of pride, a distinguished group of young men who owed to him, as their Mentor, something of their success in life, for it embraced such names as President Abbott Lawrence Lowell, Judge Francis Cabot Lowell, Francis Lee Higginson, J. Montgomery Sears and Dr. William Everett. Upon this last name, that of his first and youngest pupil, he dwelt with peculiar feeling, for he introduced Everett to his earliest knowledge of Latin, having been entrusted with his tuition while President Everett was at the head of the College, and having afterwards taught him as a Latin School pupil. At the end of a six years' association in these offices, I took my final leave of Boston for an extended foreign tour, and Mr. Noble transferred his interest to the Clerkship and his occupations to the Suffolk Court House.

Before discussing the important function which Mr. Noble was destined, for the remainder of his life, to discharge, let me devote a page to the estimate in which he was held by the associates whom he had gathered about him in his earlier years. This estimate was singularly unanimous. Those who knew him at Exeter, those who were pupils under him at the Latin School and later, concur in judgment with those who met him as a college classmate and with those others who were brought into business relations with him at the Bar. Everywhere he was accepted as the embodiment of high ideals. His standards were practical. Harvard never graduated a more loyal son, nor one whose fondness yielded more perennial fruit. He seemed to restore the elder time when the struggling college — scarcely more than the high school of to-day — craved the active help of all who owned her as their Alma Mater, when the evangelical clergy of the section, seeing what a power she might become in their hands, and how different a place New England would have been without her, made of the college an

object of their especial ascriptions, and when the name of Harvard was almost a fetish, or a spell to conjure with, in our part of the world. The profound satisfaction he derived from his part in preparing for admittance his many successful pupils was only greater than the pleasure he felt in contributing to the election of some friend's son to one or other of the better college clubs, as a ready means of keeping alive the feeling of class-community he held so precious. The only limit of his efforts for the aggrandizement of Harvard was the extent to which his daily enjoyment of life was due to his college connection. And I can well imagine the amused delight with which, in his researches, he unearthed the papers printed by him in the Colonial Society's publications, forming the record of a trial, in 1685, for "Frequenting the College contrary to Law,"[1] and again, an old Commencement Program which he made the subject of a paper.[2] To have taken the course at Harvard he regarded as a special providence, if not a crowning mercy. Probably no man ever received the Harvard diploma with a deeper sense of grateful obligation. The feeling grew upon him with his years. With him the bond of college fellowship was not so much a sentiment as a real asset in life. To miss a class dinner, a club dinner, or an alumni dinner would have been to him a serious grief, and the fact that any graduate, however unworthy, cared enough for these functions not to absent himself from them, seemed to give him a claim on Mr. Noble's regard. For himself, he would no more neglect or overlook one of these occasions than he would forget a birthday in his family. The tie was worth strengthening by every means. Of what value it might not prove to the weaklings of the class who needed bracing up, it was not for him to say. Certainly no indifference on his part should help to loosen it. They were all fellows, and his good-will went out to all alike. He would do his best to respect them all, so long as they made that possible. Among his classmates he was able to count such men as Thomas Jefferson Coolidge, James C. Carter, Charles Hale, Augustus Lowell, and William Sydney Thayer. He enjoyed their distinctions as though they were his own, albeit, as will presently appear, he was by no means without distinctions of his own. As happily for him as for his

[1] *Transactions Mass. Col. Soc.*, III. 448. [2] *Ib.* VI. 266.

Alma Mater, he lived to serve twelve years on the Board of Overseers.

College honors seemed to be his for the asking. He was a member of the Phi Beta Kappa Society, of the Hasty Pudding Club, of the Alpha Delta, of the Institute of 1770. He was president of the Undine Boat Club of 1849, summoning its first meeting, and he organized the Base Ball Club. He was chairman of the class committee, and prime mover in the class dinners. He wrote a poem for the quarter-century, and another for the half-century dinner, of which his classmate, our late associate, Quincy, who had ventured so far as to gather his own verse into a volume, remarked that they were a worthy echo from the lyre of his kinsman, the bard of the class dinner *par excellence*, Dr. Holmes. Whenever a function typical of good-fellowship was to be discharged, Noble was the first man thought of. He was chairman of college committees for selecting candidates for the Board of Overseers and for testing the students in the quality of their work. He was an Overseer for twelve years. He filled the Greek tutorship during a temporary exigency, and was so favorably known to President Everett, for this and for the skill he had displayed in tutoring his youngest son before he reached his teens as well as after, that he never lacked that distinguished encomium. Dartmouth conferred upon him its Doctorate of Laws.

To have filled for a generation with entire acceptance the post of clerk of our highest court was, in itself, a career sufficiently marked to satisfy a reasonable ambition. To have assumed, besides the normal occupations of the office, an added burden which few men could have borne, and to have carried that forward to a wholly successful issue, was enough to stamp him as no ordinary man. And the mere recital of the rare opportunities which came unsought in his way, from time to time, will show how far the qualities which were seen by his friends to characterize him were recognized by a wider circle.

When first entering practice at the bar, Mr. Noble was offered by one of his boyhood companions and South Berwick neighbors, Francis D. Hayes, the position of law-partner which was accepted by Charles F. Choate, and, soon after, Mr. Noble might have had a place on the bench of the Municipal Court

of Boston, which was assumed to lead up, in the case of so good a lawyer as he, to rapid advancement and a distinguished career. In commenting upon his declination, Professor Jeremiah Smith of the Dane Law School, himself a former Justice of the Supreme Court of New Hampshire, and the son of a Chief Justice of New Hampshire who bore his name, writes: "Had he taken the place, I think that his fitness for judicial work would have been so manifest that he would soon have been promoted to a higher court. Upon the Bench of the Superior or Supreme Court he would have done excellent work, and could hardly have failed to achieve a high position in professional esteem."

To recount opportunities lost and proposals rejected on the way through life is as idle as it is in general to speculate on what might have been. But some offers which Mr. Noble declined, beginning from the day he left the Law School, were as flattering as that of the clerkship which he accepted. In 1859 he refused an offer of the Professorship of Ancient Languages at Washington University in Missouri, and, not long after, an offer of the Chancellorship of that University. In 1868 he was offered the Chief Justiceship of the Hawaiian Islands. In 1869 his kinsman, Paul Chadbourne, in youth the protégé of Mark Noble, quit the chair of the University of Wisconsin for that of Williams College, and Mr. Noble might have succeeded him in the chair he left. In 1874 he might have had a place on the International Tribunal which was called into being at that time for regulating the affairs of Egypt, and, the year before, by a concession such as the Huguenot of Navarre found it easy to make when he declared that Paris was worth a mass, or such as a British princess has just made for a few years' seat on the tottering throne of Spain, Mr. Noble might have become the principal of Exeter Academy, a position which he would have graced and honored. But dogma stood in the way.

Phillips Academy at Exeter was the preparatory school which had fitted him for Harvard. It was under the control of a Board of Trustees as heterodox as himself. He was for ten years superintendent of the Sunday-school at Dr. Hale's church. But Governor Phillips, living in an age when what a man could bring himself to say that he believed was thought

to be a safer test of character than the life he led, had incorporated in his deed of trust a provision that only a member of an evangelical church could be the principal of his academy. This raised the question, what was an evangelical church?

Mr. Noble was awkwardly placed. Among his supporters, who were anxious to secure him for the school, there were those who thought that he should make some slight concession, and might do so without harm. But Mr. Noble was of different stuff. He could not very gracefully admit that the views he held were not evangelical views. No tampering with his convictions was to be considered for an instant. To him a rational faith was not only a precious inheritance, but it was also a sacred trust, — a *transmittendum*, to be handed down unimpaired. Professor Langdell of the Dane Law School, one of the trustees, held that Mr. Noble was eligible, and President Eliot urged his selection. But the Board of Trustees, counting among them Jeremiah Smith, Andrew P. Peabody, and George S. Hale, preferred, *ex abundanti cautela*, a less outspoken heretic. The trustees themselves might reject any or all dogmas, for Governor Phillips had imposed no tests on them. But they were powerless, so they thought, to choose a principal from their own communion.

The function of a clerk of the courts is a responsible and a peculiar one. He must have a very general knowledge of the principles and practice of the law, with a considerable experience of affairs. But, above all, his honesty must be impregnable. Few public officers have such opportunities for venal corruption, masked as these are with an absolute immunity from distrust. The judge may be tampered with, but his influence is mainly advisory, and his doings are closely scrutinized. The juryman may be bought, but his is in the main a negative control, not so much able to effect as to defeat results. The clerk of the courts has the very marrow of the cause in his single keeping. He can, if he will, make and unmake the issues at bar. Many a case turns irrevocably upon the production, at the proper moment, of some bit of paper, — a promissory note, the acknowledgment of notice received on a given day, a compromising letter, a later-dated will, — any of which might mean a fortune to some rich litigant if he could have it quietly suppressed. All these the clerk has in his unobserved control.

The cause comes to trial, and the crux of the matter has disappeared. But who suspects the clerk!

The list of clerks who had preceded Mr. Noble comprised distinguished names. There were among them, before 1840, Addington Davenport, a Rolfe, a Walley, Benjamin Pemberton, Samuel and William Winthrop, a Cushing, Andrew Henshaw, Oliver Peabody, a Sprague, Stephen Sewall, Samuel Phipps, Richard Dana, Joseph Otis, and William Tudor. After 1840 the place was filled by Joseph Willard and George C. Wilde, each of them being, by a provision of the Act of 1797, Clerk both of the Supreme Court and of the Court of Common Pleas, and each of them holding office for a very long term.

When Mr. Noble became Clerk of the Supreme Judicial Court for Suffolk County, there was no Clerk of the Courts of the Commonwealth to share the burden with him. He found the office quartered in the stone Court House in Court Square, — the Court House of the famous trials of Tirrell who escaped and of Professor Webster who suffered, — the Court House of the Sims and of the Burns rendition and of the Shadrach rescue, — the Court House in which, as a boy, I saw Judge Story and Judge Shaw preside, and Webster and Choate and Benjamin R. Curtis conducting cases. He found Justice Gray at the head of our Bench, to be succeeded as Chief Justice, during his long term in the clerkship, by Justices Morton, Field, Holmes and Knowlton. He found the waste places of the entire structure much littered with an accumulation of ancient documents and manuscripts, some of them of supreme or even of unique importance to the history of this body-politic, and all of them the prey of mould, decay and vermin, — exposed, without fit protection, to the ravages of time, of fire and of the elements. He was, like Chief Justice Gray, distinctly an antiquarian delver and a votary of the past. He needed little stimulus from the eminent jurist then presiding in our highest court to prompt him to the consecration of whatever time could be spared from his official duties to the rescue of this vanishing mass of historical material. His demand for funds was irresistible. He secured the invaluable aid of William Phineas Upham, and of a corps of accomplished women-experts, the additions to which were only limited by the size of the appropriations which could be, from time to time, secured. This

working corps, before the stint was done, came to number a dozen or more persons. Every one of them was a specialist and an earnest coadjutor in the work. One of them gave twenty-four of the best years of her life to the furtherance of this task, and another of them, twenty years, and at the close of that term was placed in charge of the completed work.

The first fruitage of Mr. Noble's thirty-three years' toil was the preparation, complete in 1883, of that part of the records of the Court of Assistants extending from 1673 to 1692. This, though not covering the earliest years, became Volume I of the projected publication, and was issued from the press in 1901. But, in 1889, the Commissioner of Public Records had embodied in his annual report a copy, furnished from the Clerk's Office, of "Records and Files in the Office of the Clerk of the Supreme Judicial Court, for the County of Suffolk," followed, from the Clerk's Office in 1890, with Part I of a catalogue of the same. In 1896 came Part II of this catalogue, and Part III was made ready for the press.

Mr. Noble procured, between 1883 and 1907, the arrangement in volumes of a mass of papers relating to the litigation of Suffolk County between the years 1629 and 1800, — a series of original documents upon which were based 175,581 separate causes, some of these causes involving a hundred papers, and the whole filling 1292 folio volumes, of an average of five hundred papers to a volume. The Alphabetical Index grew in bulk to some five volumes, — the Calendar Index of that portion of the work covering dates from 1629 to 1700, filled twenty-six bound folio volumes, — and a Date Index for the same period filled five volumes. All this material for history, — all these checks upon irresponsible misstatement and loose tradition, rescued from the attic and basement of the Stone Court House, where it had drifted who knows whence? — all this mass is now in fire-proof surroundings, where Harvard undergraduates scrutinize it in preparing the theses which earn them prizes and diplomas, and where all is made available to the general knowledge by a thorough index. It was as though some mining prospector had struck an invaluable deposit and had followed it and brought its treasures to the surface for the advantage and emolument of all the world. Happily Mr.

Noble lived to see the completion of the work. He has not left us in ignorance of his estimate of its value. This follows:

> The entire collection contains not far from half a million of papers, — an aggregation larger and perhaps more important than anything of the kind to be found in this country. It cannot fail to prove of inestimable value and to give a lasting credit to the County of Suffolk which, with a wise foresight and an intelligent liberality, has so generously undertaken and borne the expense.

The bulk of the papers were brought to the Stone Court House in five huge chests, which had reposed for two or three generations in the cellar of the Old State House. These chests were thought to have been there before the Revolutionary period and while the Boston Port Bill was in force, in fact, as early as Louisburg, and to have been used as bunks by the grenadiers who stood guard for the Royal Governor in King's Street, and by the troopers who during the siege jumped their chargers in the Old South Church, to the preservation of which reconsecrated relic, a century later, Mr. Noble largely contributed. If this were so, the papers which the chests contained would have been partly scattered and destroyed. Enough for bedding remained, and here the garrison dozed and smoked their pipes and picked their flints. Buttons and scraps of torn accoutrement and bits of flint were found amongst the rack. The Old State House had been visited by two serious conflagrations. First it was a wooden Town House, built in 1657 and burnt in 1711, and again its successor was demolished in 1747; and in these the papers deposited there at the time, though carefully guarded, might well have suffered. But a great mass survived, for the courts sat there, and the mass found its way, in 1835, after many abstractions, to the Stone Court House, by way of the Court House built in 1769 where the City Hall now stands. Who knows what "Scarlet Letters" may not have perished in these upheavals? Here were duly attested copies of deeds, and wills, extracts from court records and town records, and the like, the originals of which were, says Mr. Noble, "missing beyond the memory of man." The unexampled patience, ingenuity and industry applied to piecing out these fragments gnawed by rats and otherwise dissevered were rewarded, in one instance, with the reproduction of a very con-

siderable portion of the lost records of the Court of Assistants, which was, in colonial days, the court of ultimate appeal.

When the five chests reached the Stone Court House, and were opened in 1883, the work of cleansing, repairing and mounting began. In 1890, and again in 1896, the Aldermen of Boston, sitting as County Commissioners for Suffolk, passed orders for the arrangement, publishing and distribution of the Records of the Court of Assistants of the Colony of Massachusetts Bay. In 1901 the first volume printed under these orders appeared from the Clerk's Office, covering dates from 1673 to 1692. The second volume followed in 1904, embracing the records from 1630 to 1644, and Volume III, filling the hiatus between its predecessors, is partly in print. While the first of these volumes was in press, by rare good fortune, the original five volumes of the Records of the Court of Admiralty, for the period during which the Court of Assistants sat as a Court of Admiralty, came to light and were secured and returned to the Suffolk Court House.

Much incidental work might well be chronicled, did space permit. There were documents in this heterogeneous mass of manuscript which, even under the keen eye and cunning hand of Mr. Upham, defied both interpreting and classifying, and these were filed in cabinets by themselves, and labelled "Miscellaneous." Not the least valuable of Mr. Noble's work was the preparation, from time to time, of monographs upon topics cognate to his research, and without the aid of which his *magnum opus* would be distinctly less availing. These he printed, now and then, in the publications of the American Antiquarian Society, of the Colonial Society of Massachusetts, of the New England Historic Genealogical Society, and in our own pages. In these and in other kindred bodies he was a welcome associate. Of the Colonial Society he was a charter member, and in its callow days a very active helper, its Corresponding Secretary, and always on its governing board. In our *Proceedings* the late Chief Justice Field found a worthy eulogist in him, and Chief Justice Holmes gives a happy outline of him when he writes: "He was a scholar, of course, a gentleman and a man who knew his business, and I esteemed him the more for having the sense and sentiment to back up William Upham in the preservation of our Early Records."

I close with some reference to Mr. Noble's personality and family life, necessary as this is to the full presentation of his career, yet scarcely in keeping with the quality of the man.

He married, in 1873, at Deerfield, Katharine Williams Sheldon, a daughter of the late William Sheldon, and a niece of George Sheldon, the nonagenarian antiquary of western Massachusetts, a Resident Member of this Society. Neither the Sheldons nor the Williamses of Deerfield were strangers to Indian captivity and carnage in the year of blood. She bore him a son in 1875, and a daughter in 1884. With him home life was an idyl to the end. His surroundings left nothing to be desired. He never sank the lover in the husband. He was cared for with the most tender solicitude throughout a painful and protracted illness, by the companion of his choice, who shared all his interests and tastes. The survival of the widow, with a son and daughter, bids me leave much unsaid.

No finer tribute was called forth by Mr. Noble's death than this, from one of his daughter's Radcliffe classmates, — writing from Atlanta, Georgia, — who says: "I shall always remember the many pleasant days spent in your house, and your many kindnesses towards me. My father was speaking, only a few days ago, of his first acquaintance with Mr. Noble, and of how he had been impressed by his gentleness, his delicate courtesy of manner, and his charm."

A classmate of Noble living in Austin, Texas, who had met but two members of the class since graduation, recalled him, upon notice of his death, as "one so admired and loved by our entire class" that four years of civil war and a half-century of absence and estrangement could not efface the memory.

The Honorable Alfred Hartwell, sometime Attorney-General and Chief Justice of the Sandwich Islands, writes from Honolulu of "his erect figure, and his cheerful, sincere look, — a look which always seemed to be sympathetic and understanding," — and he adds that "the familiar language of the College Prayer of our day, 'whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report,' must always be associated with thought of him."

William Abbot Everett, who knew him at Exeter, writes

thus: "His high reputation was always a matter of congratulation with all who had met him."

When, between 1850 and 1855, a few men of mark among recent Harvard graduates began to segregate themselves from the mass, and to be drawn together by the conscious need of an atmosphere of their own, then forming a group which has observed its monthly gatherings ever since, it was natural to find Noble among them. Men like Chauncey Wright, Langdell, Eliot, A. S. Hill, Gurney, Dunbar, the Wares, did not fail to stamp the little coterie with a character which the half-century since elapsed has made apparent enough. Few "enterprises of great pith and moment," in the literature, philosophy and science of our day, have failed to enlist the interest of this group of public-spirited thinkers, who enjoyed their papers from month to month, over their dole of "cakes and ale," and kept their friendships bright. Of these graduates who have never missed a monthly greeting for half a century, and whom Noble had almost never disappointed, we are fortunate in having with us as an associate, Dr. Edward Hall. He describes the group as "the most agreeable of conversational clubs, where college friends exchanged freely their professional experiences, with fresh reminiscences of the best men and things and books of the day. Now and then came a foreign visitor of distinction." Dr. Hall recalls these gatherings as leading to "an acquaintance, long and rich," the basis "upon which rested the profound impressions now so important and vivid a part of my life." And he says of Noble: "No one was richer than he in appreciative friends who loved him and believed in him, as one of the fairest fruits of our later College life."

Dr. William Everett closes a discriminating sketch, printed in the *Boston Advertiser* of June 15, 1909, with these words: "There never was a stancher friend, or one whose friendship asked less in return." Dr. Everett speaks of him as, in college, "honored and beloved," and as winning "the time-honored distinctions of his day. . . . He was first scholar in a very brilliant class. He was not merely first scholar, he was first favorite. His classmates voted him the class-day Poem, at that time the highest mark of students' regard and distinction." As a private teacher Everett found him "faultless, — very thorough, very firm, but very gentle and kind." He knew

his subjects thoroughly, he made them perfectly clear, and it was "a delight to follow his lead." There is no better authority on Latin School matters than our Cabinet-Keeper, Norcross. What he says of Noble is this: "Very successful in winning the respect and affection of both the pupils and his fellow teachers." Our associate Greenough knew him as clerk and found him "a perfectly reliable, quiet, dignified, unassuming officer." General Thomas Sherwin, a Boston Latin School pupil of his day, and a fellow trustee with him of the Roxbury Latin School, "held him in the highest esteem and regard, and was glad to feel that he was a friend." He adds: "Of scholarly tastes and attainments, and of the highest personal and intellectual truth and integrity, he brought to the work unusual capacity and fitness, and, through life, performed with rare fidelity the duties and trusts with which he was charged." [1]

His discipline was rigid and he was exacting in his requirements, but he was always kindly, and his firm hand, informed by his scholarly enthusiasm, and rare judgment, and tender heart, was a silent rebuke to the hide-bound systems and

[1] Among the letters I have received from his associates is the following, written by Dr. Arthur H. Nichols:

"I entered the Public Latin School, September, 1852, being placed in the sixth, or lowest, class under Caleb Emery. Two months later the class was divided according to rank into three divisions. I was then transferred, with the second division, to the room of Mr. Noble, first usher, who had charge also of the entire third class, among whom I recall Francis Gray, Frederic S. d'Hautville, Francis C. Hopkinson, James M. Hubbard, Ellis L. Motte, Nathaniel B. Shurtleff, William B. Storer and William H. Whitmore. January 1st, 1853, I was promoted to the first division, and thus left Mr. Noble's room, to return, however, September, 1853, when the entire class came under his tuition for the following school-year. Among the pupils of the class during this year, 1853–4, were Charles W. Amory, Samuel P. Blagden, Henry U. Jeffries, Arthur Lawrence, Arthur Reed, Hiram S. Shurtleff, John Collins Warren, Charles B. Wells and James E. Wright.

"Mr. Noble impressed me as a capable, alert and cheerful instructor; kind and sympathetic; commanding the respect of the boys, whom he had the faculty of interesting in their studies. He had a quiet way of maintaining discipline and order in the school-room, though it was not apparent that he ever made any effort in that direction. Hence punishments or even admonitions were virtually unknown. By his example he inculcated the importance of cultivating the amenities of intercourse. Affable and courteous to all alike, he showed no favoritism. I do not remember that he ever enlivened the sessions by any pleasantries. His record at the school was however of the first order. I have never heard an unfavorable criticism or unkind word uttered with regard to him by any of his pupils.

"In later years it was always a pleasure to receive his cheery greeting at the Court House or at Harvard Commencement."

brutal methods which had preceded him. He became submaster when Gardner followed Dixwell, on the resignation of the latter as master.

Mr. Justice Marcus Morton, the son of his namesake, Chief Justice Morton, writes: "I learned from my father, many years before I knew him, of all those qualities which made up the faithful and efficient public servant and true gentleman, and my own acquaintance with him, for more than twenty years, only confirmed the respect that I had inherited. The thorough knowledge of the duties of his office, his never-failing courtesy and dignity, his approachableness and patience, impressed all members of the bench and bar. His taste and learning in all antiquarian matters made his services in collecting and publishing those invaluable records of the Court of Assistants of great importance. The State was indeed fortunate to have had a man of such learning, taste and character, to dignify the office which he filled so acceptably for so many years."

Mr. Noble was destined to serve during the term of still a fifth learned Chief Justice of the Commonwealth, and again he had the fortune to impress his honor, Chief Justice Knowlton, as favorably as he had done his predecessors. This is the judgment of the present head of our bench, a fellow officer, with Mr. Noble of the Colonial Society:

"First of all, he was always and in every relation a gentleman. He knew thoroughly the law and practice pertaining to the business of the court, in all matters connected with his office, and he performed his official duties methodically, accurately, and with great courtesy to the members of the bar, as well as to the justices and other officers of the court. His scholarship and training, before he was selected for the clerkship, made him appreciative of niceties of expression in making his records, and gave him a pride in bringing the work of the office as near to perfection as possible. . . . He took a special interest in putting in form and arranging for preservation the ancient Records of the Colonial Courts, and the results, to those interested in the early history of the Colony of Massachusetts Bay, are of great value.

"For many years before his death he was one of the most active members of the Colonial Society. . . . From time to time he contributed valuable historical papers which appear

in its publications, improving to the utmost, in this particular, the opportunities that came to him as custodian of many interesting records, illustrative of the life and experiences of the early settlers of New England. His papers were written in a clear and finished style, which made them peculiarly acceptable to his associates in the management of the Society."[1]

But why rehearse what goes without saying? Surely it is epitaph enough for a public functionary to be described by everybody who knows him — judges and all — as a model in his office, and in his personal relations as above praise.

The topics of some of his printed papers disclose the strong trend of his mind, and we cite a few of them. He published in the proceedings of the Antiquarian Society for 1892 a paper entitled "A Few Notes on the Shays Rebellion." And in the publications of the Colonial Society he printed, at various times, from Volume III to Volume VIII, "Notes on the Trial and Punishment of Crimes in the Court of Assistants in the Time of the Colony, and in the Superior Court of Judicature in the First Years of the Province"; also "Notes on the Libel Suit of Knowles *v.* Douglass in the Superior Court of Judicature, in 1748–49," a very remarkable case, and most elaborately treated. Also, "The Records and Files of the Superior Court of Judicature, and of the Supreme Judicial Court, — their History and Places of Deposit." Also, "A Few Notes on Admiralty Jurisdiction in the Colony and in the Province of Massachusetts Bay." In this Society's *Proceedings* he has printed, besides the memoir of Chief Justice Field, some remarks, made in 1899, "On the Early Court Files of 1752–1785." Also a paper in 1902, entitled "A Glance at Suicide as dealt with in the Colony and in the Province of Massachusetts Bay." Another paper followed in

[1] Edward Austin Waters, of Philadelphia, writes thus:

"To me he seemed 'first, a gentleman,' always most courteous to and thoughtful of others. He spared himself no labor where he could help, and he was so lovable in what he did that often those benefited by his acts hardly realized his own sacrifice. Yet there was no weak sentimentality in his make-up; lovable as he was, he was merciless to injustice, and it always seemed to me that he felt there were few worse sins than hypocrisy. Even a hypocrite, however, I believe he could forgive, but he would never trust him again.

"Then, his sense of humor was extremely keen; not blunted by years nor dulled by life, he could always see the gleam somewhere. It was this that kept him, to the very last, a young man, for, except in appearance, he was never old, and we friends of his son never could remember that John's father belonged to any generation but our own."

1905, entitled "An Incident, in 1731, in the Long Dispute of Massachusetts and Rhode Island over their Boundary Line," a difference still unsettled at the outbreak of the Civil War. And yet another paper was read the same year on "Legislation in regard to Highway Robbery in Massachusetts." These are typical subjects. There were many more.

Mr. Noble died at Roxbury, June 10, 1909, aged eighty years, and lies buried at Mount Auburn.

The following letter was received too late to be incorporated in the memoir, but is too characteristic of the writer to be overlooked, and is one of the last he dictated.

DEAR MR. RANTOUL, — Your request for material for a memoir of Mr. John Noble is a little embarrassing. I have known him as a member of an earlier generation with affection for many years. His exceptional honor and kindness were familiar traditions which my own observation has established as assured facts. But of biographical material there is almost nothing. He was, as you know, my father's classmate, and what I have just said will show my father's opinion of him. When I was twelve years old I was sent to school with his younger brother, Mr. G. W. C. Noble, whom I came to love and respect before Mr. John Noble was to me more than a name. I entered college a Sophomore, and my teaching in the work of the Freshman year was done by Mr. John Noble, whom I came to know well at about that time. He shared his office then with you. He used to visit my father's house at Cotuit, and there I came to know him better. We all looked forward with pleasure to his visits. Once established, the friendship grew. After his marriage, he and Mrs. Noble used to dine with my father and mother from time to time, and Mrs. Lowell and I were almost always invited to meet them. We dined with them in their pleasant home. The intimacy continued after my father's death in 1885. Mr. Noble's sympathy was gratefully felt by my mother, who came to know Mrs. Noble intimately and to regard her very highly. As a lawyer, I used frequently to see Mr. Noble in connection with his official duties. You know how he made his office serve important historical studies and publications. During his long last illness I went to his house several times, and there I learned a lesson not to be forgotten. A very pleasant friendship with his children ever since they were born has produced its natural results. All this, I

fear, will be of very little help to you, though it seems a good deal to me. If there is anything you would like to ask about, I will try to answer your questions more definitely.

Yours very truly,

[FRANCIS C. LOWELL.]

DEAR MR. RANTOUL, — My husband was too ill to sign this letter which his stenographer has just brought to my attention. I feel sure that you will like to have it, even though, as he says, it may be of but little help to you.

Sincerely yours,

CORNELIA P. LOWELL.

March 9th.

ANNUAL MEETING, APRIL, 1911

THE Annual Meeting was held on Thursday, the 13th instant, at three o'clock, P.M.; the PRESIDENT in the chair.

The record of the last meeting was read and approved; and the Librarian submitted the usual monthly report of donors.

The Cabinet-Keeper reported the gift to the Society, by Mr. Lord, of a medal prepared for distribution at the tercentenary, in 1904, of the DeMonts and Champlain settlements in Nova Scotia and New Brunswick.

The Corresponding Secretary reported the receipt of letters from George H. Blakeslee accepting his election as a Resident Member, and from Andrew D. White as an Honorary Member.

The Editor announced the gift from Edmund A. Whitman, of Cambridge, of the Civil War papers of his father, Col. Edmund Burke Whitman. They not only contain original war maps, but also correspondence with the Department of War in the years subsequent to the war, when Colonel Whitman was actively employed in gathering the dead soldiers and establishing national cemeteries. This material has not been used in the War Records, and throws a vivid light upon one of the results of the civil contest. Original documents were also supplied for publication by Samuel S. Shaw and Mrs. Bradley Gilman; and a gift from Horace and Andrew McF. Davis of a letter from their mother describing the social condition in Washington in January, 1839.

The preparation of the memoir of Francis Cabot Lowell was assigned to Frederic J. Stimson.

Mr. THAYER, as delegate to a meeting in New York to promote the publication of a Dictionary of American Biography, made a report upon the action of the meeting; and Professor

HART explained the manner in which the movement for such a dictionary originated, the progress thus far made, and the scope of the movement as a whole.

Governor LONG, Senior Member-at-Large of the Council, read the following

REPORT OF THE COUNCIL.

Since the last Annual Meeting the following changes have taken place in the membership of the Society:

Deaths:

Resident Members.

1865, Josiah Phillips Quincy	Oct. 31, 1910.
1895, Morton Dexter	Oct. 29, 1910.
1896, Francis Cabot Lowell	March 6, 1911.
1900, James Frothingham Hunnewell	Nov. 11, 1910.
1905, John Lathrop	Aug. 24, 1910.

Honorary Member.

1864, 1904, Goldwin Smith	June 7, 1910.

Corresponding Member.

1878, John Austin Stevens	June 16, 1910.

Terminated by settlement in the State:

1904, Frederick Jackson Turner	Nov. 10, 1910.

Terminated by transfer to Honorary Membership:

1879, Andrew Dickson White	March 9, 1911.

Elections:

Resident Members.

Henry Morton Lovering	May 12, 1910.
Edward Waldo Emerson	June 9, 1910.
Curtis Guild, Jr.	Oct. 13, 1910.
Frederick Jackson Turner	Nov. 10, 1910.
Gardner Weld Allen	Dec. 8, 1910.
Henry Herbert Edes	Jan. 12, 1911.
George Hubbard Blakeslee	March 9, 1911.

Honorary Member.

Andrew Dickson White . . . . . March 9, 1911.

Corresponding Members.

Charles William Chadwick Oman . . . . Nov. 10, 1910.
Samuel Verplanck Hoffman . . . . . Jan. 12, 1911.

It has been said, and with some apparent truth, that the Society prints too much, and in erring in this direction tends to lessen the utility of its publications. Compared with the output in print of other like societies, the charge of excess holds true, for a quarterly magazine or an annual volume is the usual product of our sister societies. We issue a magazine in nine numbers a year containing the proceedings of the meetings and original documents, and at least one volume of collections. The volume of *Collections* is defensible, and the sixty-six volumes thus far printed contain a mine of information on New England history, the value of which may be tested by the frequency of reference to them in any history, whether of New England or of the United States. The *Proceedings* are composed of papers read or presented at the meetings of the Society, and original documents of an historical character. These documents are of such a nature as have historical interest, yet are not such as could be logically formed into volumes of collections. The "papers" are voluntary contributions, the result of personal investigation and upon subjects of interest to the writer. It is sometimes a question whether the results are of such general interest as to warrant publication, and the question is of some delicacy. That the essay may be of service at some time to some investigator in history or genealogy, is a very broad measure for testing its quality, and in this direction some reduction in quantity of publication may be made. This is a matter requiring consideration, as it involves many nice points, personal and general.

It is also suggested that to many members it would be more convenient if the pamphlet editions of our Proceedings had the leaves cut.

As to the publications of the Society, a volume of *Proceedings* (the 43d in regular sequence) was issued in the fall, cover-

ing the meetings of the Society from October, 1909, to June, 1910. It contained original papers of some moment historically, and many documents relating to the history of Massachusetts and New England. Perhaps the most notable paper was the "Description of the City of Washington in the Secession Winter of 1860–61," by Mr. Henry Adams, and the recovery of an address on the "Opium War," made at the instance of the Society in 1841, by John Quincy Adams. The issue of *Collections* will be resumed by printing the *Diaries of Cotton Mather*. The first volume is now in type, and will be distributed to the members shortly. The contract for printing Bradford's *History* is nearly complete, and in the fall the volume will be in the hands of the members. The Proceedings of the meetings since last October have been printed, with some delays; but all, through the meeting of March, are in type. For the coming year, in addition to the Bradford and the annual volume of *Proceedings*, there will be issued a second volume of Cotton Mather's *Diaries*, and, it is hoped, another volume of *Collections*.

In August the Society entered upon a new departure — that of employing a skilled repairer of manuscripts to treat its immensely valuable store of original papers that have accumulated since its institution. The intention was to secure thoroughly experienced skill, and to apply it, through the most modern methods, for preserving material of this nature. The policy has justified itself. Three collections have already been treated. Each document that required repair has received attention, and then has been mounted and bound in series in a form that will be permanent. Finding that the earliest volumes of the first newspaper printed in an English Colony in America, the *Boston News-Letter*, had suffered much by the deterioration of the paper, making it unsafe to handle the leaves, particular attention was given to bettering their condition. It was decided to resize each leaf, and then mount and bind in the same manner as manuscripts are treated. Particularly decrepit copies were covered with silk. Thus the file is in an even better condition than when it was issued from the press. These methods are not experimental, and therefore cannot result in any damage to the texture of the paper; the benefit is permanent. Considering the risk of loss and the want of proper at-

tention involved in sending manuscripts and papers of this description out of the building, the arguments for continuing this process or repair are many and convincing. It is also economical, and furnishes every opportunity for consultation and intelligent decision of every question as it may arise.

The Society is still a publishing society, but it has grown immensely in another direction, and that is in its collections. The Council cannot urge too strongly the deposit of manuscripts in the Society, as best fulfilling what should be the aim of all who possess historical material, and performing the highest functions indicated by the founders of the Society. Mention need only be made of two serious losses recently incurred by the fires in the state houses of Kansas and of New York. Papers in private hands are always subject to many chances of loss, distribution and forgetfulness. The Society offers the best depository and at the same time a certainty of scientific care and proper usage of the material, with an expectation of publication in the future. Preservation, control of material, and printing so as to make it accessible to all who are interested, — these constitute what are and must be the properest functions of a society such as this is. The collections are already rich, but there is no limit to what may be had, from the outside, of papers of the highest historical value.

While primarily a society for publishing, collecting and preserving historical material, printed and in manuscript, it fulfils another function of no mean proportion. As the oldest society of the kind in the United States it has served in its organization and publications as a model for others, something to be studied and, so far as merited, imitated. In its general spirit of endeavor, in its maintenance of a high standard of historical and antiquarian research and in its sustained enthusiasm and performance, it has done well, and as an active and social element holds a rank second to none. The sentiment that pertains to such a society is something of an asset in itself, like the good-will of a merchant, and upon its members rests the duty of cherishing and keeping it at its highest productive capacity.

A society is always in want of money, and this Society offers no exception to the general rule. It has its responsibilities as well as its ambitions to uphold, and they are expensive. The cost of printing has followed the course of other "necessities of

life," and the maintenance and improvement of the building is another item to be met. The Society can use additional funds both for printing and for extending its convenience and necessities. Among needed or desirable changes may be named an elevator, that our members may more easily reach the room of meeting, a remodelling of the cabinet, that the objects may be better displayed, and the proper labelling of the portraits, that the legends may more readily be read by old as well as by young eyes. Gifts or deposits of books and manuscripts are ever welcome, but it should ever be borne in mind that with the growth of its collections the need for money also becomes greater.

The TREASURER submitted the following statement for the financial year:

REPORT OF THE TREASURER.

In compliance with the requirements of the By-Laws, Chapter VII., Article 2, the Treasurer respectfully submits his Annual Report, made up to March 31, 1911.

The special funds now held by the Treasurer are thirty in number. Of these special funds twenty-nine are described in the recent reports of the Treasurer. The remaining fund was received on June 9, 1910, from our former associate the late James Frothingham Hunnewell, being a gift of five thousand dollars. In accordance with the vote of the Council the Treasurer has set apart this gift under the name of

THE HUNNEWELL FUND,

the purpose of the Fund as stated in his letter of gift being as follows:

> the income to be used in purchase of the rarer books needed for the Society's library. If at a future date some of my books come to the Society, the income of this Fund can be used for binding or repair of the same or obtaining books to supply deficiencies.

The securities held by the Treasurer as investments on account of the above mentioned funds are as follows:

INVESTMENTS.

Schedule of Bonds.

Chicago & West Michigan R. R. Co.	5%	1921		$14,000.00
Chicago & North Michigan R. R. Co.	5%	1931		1,000.00
Rio Grande Western R. R. Co.	4%	1939		5,000.00
Chicago, Burlington & Quincy R. R. Co.	4%	1921		8,000.00
Chicago, Burlington & Quincy R. R. Co.	4%	1922		2,000.00
Cincinnati, Dayton & Ironton R. R.	5%	1941		5,000.00
Atchison, Topeka & Santa Fé R. R.	4%	1995		14,500.00
Atchison, Topeka & Santa Fé R. R.	4%	1995	"adjustment"	9,000,00
Chicago Jct. & Union Stock Yards	5%	1915		13,000.00
Oregon Short Line R. R. Co.	5%	1946		10,000.00
Oregon Short Line R. R. Co.	4%	1929		10,000.00
United Zinc & Chemical Co.	5%	1928		30,000.00
Lewiston-Concord Bridge Co.	5%	1924		12,000.00
Boston & Maine R. R. Co.	4½%	1944		6,000.00
American Tel. & Tel. Co.	4%	1929		10,000.00
N. Pacific & Great Northern R. R.	4%	1921	"joint"	50,000.00
Kansas City Stock Yards Co.	5%	1913	"convertible"	12,000.00
Long Island R. R. Co.	4%	1949		6,000.00
New York Central & Hudson River R. R.	4%	1934		15,000.00
Bangor & Aroostook R. R. Co.	4%	1951		10,000.00
Detroit, Grand Rapids & Western R. R.	4%	1946		2,000.00
Fitchburg R. R. Co.	4%	1927		9,000.00
Kansas City, Clinton & Springfield R. R.	5%	1925		3,000.00
Lowell, Lawrence & Haverhill St. R. R.	5%	1923		2,000.00
West End Street Railway Co.	4%	1915		6,000.00
Washington Water Power Co.	%	1939		10,000.00
United Electric Securities	5%	1939		15,000.00
Blackstone Valley Gas & Elec. Co.	4%	1939		10,000.00
Western Tel. & Tel. Co.	5%	1932		5,000.00
Maine Central R. R.	4½%	1912		5,000.00
Baltimore Gas & Elec. Co.	5%	1913		10,000.00
Seattle Electric Co.	5%	1929		5,000.00
			Par value	$324,500.00

SCHEDULE OF STOCKS.

50	Merchants National Bank, Boston	$5,000.00
50	State National Bank, Boston	5,000.00
50	National Bank of Commerce, Boston	5,000.00
50	National Union Bank, Boston	5,000.00
50	Second National Bank, Boston	5,000.00
25	National Shawmut Bank, Boston	2,500.00
35	Boston & Albany R. R. Co.	3,500.00
25	Old Colony R. R. Co.	2,500.00
25	Fitchburg R. R. Co. Pfd.	2,500.00
150	Chicago Jct. Rys. & Union Stock Yards Co. Pfd.	15,000.00
150	American Smelting & Refining Co. Pfd.	15,000.00
158	Atchison, Topeka & Santa Fé R. R. Co. Pfd.	15,800.00
302	Kansas City Stock Yards Co.	30,200.00
10	Cincinnati Gas & Electric Co.	1,000.00
6	Boston Real Estate Trust	6,000.00
5	State Street Exchange	500.00
3	Pacific Mills	3,000.00
50	Seattle Electric Co. Pfd.	5,000.00
1194	Shares — Par value	$127,500.00

SCHEDULE OF NOTES RECEIVABLE.

G. St. L. Abbott, Trustee, Mortgage 6%	$10,000.00

SCHEDULE OF SAVINGS BANK BOOKS.

M. A. Parker Fund	$1,003.96
Brattle St. Church Model Fund	174.31
	$1,178.27

RECAPITULATION.

Bonds, par value	$324,500.00
Stocks, par value	127,500.00
Notes receivable	10,000.00
Savings Bank Books	1,178.27
	$463,178.27

Represented by Balance, Investment account $460,109.45

The balance sheet follows and shows the present condition of the several accounts:

BALANCE SHEET, March 31, 1911.

Investment Account, Exhibit I	$460,109.45	Funds, Exhibit III	$417,892.91
Real Estate	97,990.32	Accumulated Income of Funds, Exhibit IV	50,169.57
Cash on hand, Exhibit II	7,953.03		$468,062.48
		Building Fund	72,990.32
		Ellis House	25,000.00
	$566,052.80		$566,052.80

EXHIBIT I.

INVESTMENT ACCOUNT.

Balance, March 31, 1910		$458,825.83
Bought during year:		
$10,000 Baltimore Gas Electric Co. 5% Bonds	$9,750.00	
5,000 Seattle Electric Co. 5% Bonds	4,925.00	
Accrued Interest, M. A. Parker Bank Book	40.73	
Accrued Interest, Brattle St. Church Model Bank Book	8.20	
Total Additions, Exhibit II		14,723.93
		$473,549.76
Received on account G. St. L. Abbott Note	$3,000.00	
Received payment, A. & C. F. Ammand Note	3,500.00	
Sold 4000 C. B. & Q. 3½% Bonds	3,510.00	
Sold 3000 A. T. & S. Fé 4% Bonds (convertibles)	3,266.25	
Withdrawn from Savings Banks to replace payments on account of the respective Funds:		
M. A. Parker Fund	113.06	
Brattle St. Church Model Fund	51.00	
Total Deductions, Exhibit II		13,440.31
Balance Investment Account, March 31, 1911		$460,109.45
Increase during year	$1,283.62	

EXHIBIT II.

CASH ACCOUNT.

Balance on hand, April 1, 1910		$497.43
Accrued Interest, Bonds Bought, March 30, 1910		62.50
Receipts during year to March 31, 1911:		559.93
Sale Publications	$447.56	
Royalties, Little, Brown & Co.	28.26	
Income from Investments, Exhibit IV	24,388.42	
Interest from Savings Bank Books	48.93	
Interest on Bank Balances	202.08	
	$25,115.25	
Investments sold or paid off, Exhibit I	13,440.31	
Gift of James F. Hunnewell	5,000.00	
Sale Book, Ellis Fund	3.00	$43,558.56
		$44,118.49

Brought over				$44,118.49
Payments				
Investment Account, Securities bought		$14,675.00		
Savings Banks		48.93		
Total, Exhibit I			$14,723.93	
Income Account:				
Bindery		1,024.63		
Binding		383.75		
Books		1,603.42		
Brattle St. Model		51.00		
Building:				
Cleaning	$175.54			
Engineer	1,034.00			
Fuel	467.50			
Furniture	167.25			
Lighting	92.14			
Repairs	510.26			
Supplies	21.32			
Telephone	112.59			
Water	73.00	2,653.60		
Portraits		277.50		
Postage		145.40		
Printing		151.89		
Publications:				
Proceedings	$2,888.76			
Illustrations and Reprints	429.57	3,318.33		
Salaries:				
Librarian's Assistants	$4,820.00			
Editor and Assistants	6,055.00	10,875.00		
Stationery		42.56		
Treasurer's Office:				
Bond	$25.00			
Bookkeeper	600.00			
Office Expenses	1.85			
Public Accountant	25.00			
Safety Vault	50.00	701.85		
Miscellaneous		212.60	21,441.53	
Total Payments				36,165.46
Balance on hand, March 31, 1911				$7,953.03
Accounted for as follows:				
Additions to Funds, Exhibit III				$7,589.38
Less increase in investments				
Amount Invested, Exhibit I			$14,723.93	
Amount paid off, Exhibit I			13,440.31	1,283.62
Uninvested Balance — Principal				$6,305.76
Income during year, Exhibit II			$25,115.25	
less added to Centenary Funds			2,586.38	
Net Income available, Exhibit VI			$22,528.87	
Less Expenditures, Exhibit II			21,441.53	
Surplus Income for year			$1,087.34	
Cash on hand, March 31, 1910			559.93	
Unexpended Balance — Income				1,647.27
Total Cash on hand, March 31, 1911				$7,953.03

EXHIBIT III.

INCREASE OF FUNDS IN YEAR 1910–1911.

Amount of Funds, March 31, 1910		$410,303.53
Added during Year		
Gift of James F. Hunnewell	$5.000.00	
Additions to Centenary Funds:		
Anonymous Fund	205.92	
J. L. Sibley Fund	2,389.46	
Ellis Fund	3.00	7,589.38
Total of Funds, March 31, 1911		$417,892.91

EXHIBIT IV.

ACCUMULATED INCOME OF FUNDS.

Balance Accumulated Income, March 31, 1910		$64,683.57
Income from Investments during year, Exhibit II	$24,388.42	
Interest on Bank Balances	202.08	
Interest on Savings Bank Books	48.93	
Sale of Publications	447.56	
Royalties, Little, Brown & Co.	28.26	
Additions to Funds, Exhibit VI		25,115.25
		$89,798.82
Less:		
Balance General Account charged Various Funds	$15,601.34	
Payments during Year charged Various Funds	21,441.53	
Deductions from Funds, Exhibit VI.	$37,042.87	
Accretion to Anonymous Fund	205.92	
Sibley Centenary Fund	2,380.46	39,629.25
Balance Accumulated Income, March 31, 1911		$50,169.57
Amount General Fund, March 31, 1910, charged off, Exhibit V	$15,601.34	
Surplus Income for year, Exhibit II	1,087.34	
Decrease during year	$14,514.00	

EXHIBIT V.

GENERAL ACCOUNT.

Amount at Debit this Account, March 31, 1910		$15,601.34
Charged to Accumulated Income of the following Funds:		
Waterston Publishing Fund	$899.21	
Peabody Fund	400.00	
J. L. Sibley Fund	14,302.13	15,601.34

See Exhibit IV.

EXHIBIT VI.

INCOME AND EXPENDITURES OF FUNDS FOR THE YEAR ENDING MARCH 31, 1911.

	Balance Mar. 31,'10	Income	Expenditures	Balance Mar. 31,'11	Funds
Amory	$1,735.23	$183.07	$157.13	$1,761.17	$3,000.00
Appleton	6,236.29	744.70	575.11	6,405.88	12,203.00
Bigelow	552.36	122.03	154.36	520.03	2,000.00
Billings	2,428.09	610.28	415.62	2,622.75	10,000.00
Brattle St.	117.11	8.20	51.00	74.31	100.00
Chamberlain	58.67	80.15	73.00	65.82	1,232.33
Dowse		610.28	590.00	20.28	10,000.00
Ellis		1,932.66	1,851.56	81.10	31,666.66
Frothingham	2,676.06	183.08	175.00	2,684.14	3,000.00
General		3,182.01	2,711.15	470.86	44,427.43
Hunnewell		188.75	17.50	171.25	5,000.00
Lawrence	1,087.06	183.08	75.00	1,195.14	3,000.00
Lowell	365.73	183.08	175.00	373.81	3,000.00
Mass. Hist.	5,271.57	610.36	589.40	5,292.53	10,000.00
Parker	76.29	40.73	113.06	3.96	1,000.00
Peabody	4,318.58	1,350.05	1,753.49	3,915.14	22,123.00
Salisbury		305.15	232.64	72.51	5,000.00
Savage	527.96	366.20	624.90	269.26	6,000.00
C. A. L. Sibley		1,373.56	1,260.32	113.24	22,509.48
J. L. Sibley	22,707.27	7,388.58	21,542.22	8,553.63	121,077.00
Slafter		61.03	3.30	57.73	1,000.00
Waterston No. 1	1,200.92	305.15	40.00	1,466.07	5,000.00
Waterston No. 2	4,750.75	610.27	1,202.90	4,158.12	10,000.00
Waterston No. 3	3,267.97	610.28	1,509.08	2,369.17	10,000.00
Waterston Library	285.32	236.47	176.00	345.79	3,875.14
R. C. Winthrop	5,414.09	610.27	571.67	5,452.69	10,000.00
T. L. Winthrop	281.51	144.25	107.50	318.26	2,364.66
Wm. Winthrop	1,324.74	305.15	294.96	1,334.93	5,000.00
Sibley Centenary					49,989.76
Anonymous Centenary					4,324.45
Balance, Mar. 31, 1910	$64,683.57				
Income	22,528.87	$ 22,528.87	$37,042.87	$50,169.57	
	$87,212.44	2,380.46	Accretion to Sibley Centenary		
Expenditures	37,042.87	205.92	Accretion to Anonymous Centenary		
Balance, Mar. 31, 1911	$50,169.57	$25,115.25	Total Additions		
Total Funds					$417,892.91

The income for the year derived from the investments and credited to the several funds in proportion to the amount in which they stand on the Treasurer's books was six per cent of the funds.

The present condition of the Society is shown in detail in the foregoing statements and abstracts, but it may be convenient to give a short summary.

The real estate, which is entirely unincumbered, stands on the books at $97,990.32, but is valued by the City Assessors at $197,000. The aggregate amount of the permanent funds is $417,892.91, which together with the unexpended balances and income is represented by securities and deposits and amounts to $460,109.45, as per schedule given above.

ARTHUR LORD,
Treasurer.

BOSTON, April 1, 1911.

REPORT OF THE AUDITING COMMITTEE

The undersigned, a committee appointed to examine the accounts of the Treasurer of the Massachusetts Historical Society, as made up to April 1, 1911, have attended to that duty, and report that they find that the securities held by the Treasurer for the several funds correspond with the statement in his Annual Report.

They have engaged the services of Mr. Henry A. Piper, a Public Accountant, who reports to them that he finds the accounts correctly kept and properly vouched, that the balance of cash on hand is satisfactorily accounted for, and that the trial balance is accurately taken from the Ledger.

THOMAS MINNS,
HAROLD MURDOCK, } *Committee.*

BOSTON, April 7, 1911.

The LIBRARIAN then reported that during the year there have been added to the Library:

Books	1435
Pamphlets	1664
Newspapers, bound volumes (116 bought)	128
Unbound volumes	9
Broadsides	73
Maps	57
Manuscripts	496
Bound volumes	7
Total	3869

Of the volumes 749 have been given, 625 bought and 196 formed by binding. Of the pamphlets added 1606 have been given, and 343 bought; and 285 pamphlets in the Library have been bound.

In the collection of manuscripts there are now 1252 volumes, 192 unbound volumes, 108 pamphlets with manuscript notes, and 16,989 manuscripts.

Of the books added to the Rebellion department, 48 volumes have been given and 80 bought; and of the pamphlets added, 67 have been given and 109 bought. There are now in the collection 3451 volumes, 6513 pamphlets, 507 broadsides, and 111 maps.

Impressions of the book plate, engraved by Mr. Sidney Lawton Smith, have been made for books bought from the income of the John Langdon Sibley Fund and from that of the Charlotte A. L. Sibley Fund.

The Library now contains 53,231 volumes, 114,411 pamphlets, and 4891 broadsides.

The CABINET-KEEPER reported the following additions to the Cabinet:

Photogravures:
Fairbanks House, Dedham (*Proceedings*, XLIII. 544).
Stuart's Washington at Dorchester Heights (p. 87, *supra*).
Portraits of Matthew Holworthy and Susanna Henley, Lady Holworthy, a gift from Henry W. Cunningham.
Engravings:
Massachusetts statesmen, etc. (p. 87, *supra*).
William Pynchon (p. 87, *supra*).
Photographs: Portrait of Sir William Phips.
Etchings: Confederate war pictures (p. 87, *supra*).
Lithographs: American statesmen (p. 87, *supra*).
Envelopes: War issues (p. 87, *supra*).
Medals:
Founding of Quebec (*Proceedings*, XLIII. 655).
Harvard College Clubs (p. 363, *supra*).
Bas-relief portrait: Edward Everett (p. 217, *supra*).
Pike: John Brown (p. 217, *supra*).
Plate: Otis Norcross and Co. (p. 87, *supra*).
Deposit: Hair of George and Martha Washington (p. 87, *supra*).

During the year the following portraits have been restored under the direction of Hermann Dudley Murphy: Thomas Prince, Mrs. Anne Pollard, John Wentworth, Isaac Collins, Benjamin Pollard, Mrs. Mary Smibert and Simeon Stoddard.

Professor TURNER read the

REPORT OF THE COMMITTEE ON THE LIBRARY AND THE CABINET.

Your Committee desires to express its appreciation of the courtesy with which its inspection was facilitated by Dr. Green and the Library staff, and by Mr. Norcross, the Cabinet-Keeper. We are impressed by their devotion to the Library and the Cabinet, and by the importance of the Society's possessions.

The responsibility of the Society for surrounding its treasures with all of the security possible against fire was peculiarly forced upon our consideration by the irreparable losses suffered in the recent burning of the Capitol at Albany, where manuscripts and other collections of importance to history were destroyed. Doubtless the authorities supposed they had provided adequate protection. But, considering the trust reposed in the Massachusetts Historical Society by the families which have confided their papers to its care, the Committee believes that due recognition of these gifts, and due attention to the need of inspiring future donors with a sense of the security of the collections, demand that the Society should make doubly sure that all that is possible is done to ensure ample protection.

We are satisfied that the authorities of the Society and their assistants are aware of the importance of avoiding the accumulation of rubbish and inflammable material about the rooms. Our observations convinced us that general neatness characterized the building. In every library, however, there is more or less need for precaution due to the nature of the materials, and we therefore recommend that the Society employ experts who shall be informed of its desire to afford exceptional protection to all its possessions, and who shall be asked to inspect and report upon the general security of the building against fire and in particular upon the electric wiring, the need of fireproof doors, especially to the upper stacks; and the relation

of the air ducts of the various rooms to the heating apparatus and bindery in the basement. We further recommend inquiry whether some automatic system of protection by means of water pipes and sprinklers in the basement would not be a desirable precaution, in addition to the hand fire-extinguishers recommended by the Committee of last year. As a further precaution, we recommend that, as rapidly as is consistent with effectiveness and reasonable economy, manuscripts and other documents of particular importance be bound and located in the upper stack.

The observations of the Committee of former years on the overcrowded condition of the Cabinet seem to be just. At some time in the near future the problem of space presented by the growth of these valuable collections will need the particular attention of the Council. We endorse the suggestion that there should be a Curator of Coins, under the general supervision of the Cabinet-Keeper. The collections of the Society seem to warrant some official provision of this nature.

Our predecessors last year pointed out that there was a lack in the Library of those scholarly periodicals, modern works of reference, and publications of historical societies and foreign governments most essential to the investigators who desire to make productive use of the manuscripts and documents of this Society. We find that this defect in the working apparatus of the Library still exists. The Society suffers somewhat when compared in these respects, and in respect to the facilities afforded for convenient and easy use of the Library, with some of the more youthful historical societies in other states. Your Committee is of the opinion that the age and distinguished services of the Massachusetts Historical Society entitle it to exhibit continued and energetic leadership in the employment of all useful modern devices and library methods for promoting the security of its collections and the effective and convenient use of them. We therefore recommend that the report of last year be given renewed consideration.

FREDERICK J. TURNER,
HENRY M. LOVERING,
GARDNER W. ALLEN,
} *Committee.*

Governor LONG, for the Committee to nominate Officers for the ensuing year made a report, upon which a ballot was taken. The officers are as follows:

President.

CHARLES FRANCIS ADAMS.

Vice-Presidents.

SAMUEL ABBOTT GREEN.
JAMES FORD RHODES.

Recording Secretary.

EDWARD STANWOOD.

Corresponding Secretary.

HENRY WILLIAMSON HAYNES.

Treasurer.

ARTHUR LORD.

Librarian.

SAMUEL ABBOTT GREEN.

Cabinet-Keeper.

GRENVILLE HOWLAND NORCROSS.

Editor.

WORTHINGTON CHAUNCEY FORD.

Members-at-Large of the Council.

WALDO LINCOLN.
WILLIAM R. LIVERMORE.
FREDERIC WINTHROP.
MOORFIELD STOREY.
ROBERT S. RANTOUL.

The PRESIDENT then called upon Mr. STOREY, who read the following:

By the death of Francis Cabot Lowell, Massachusetts has lost a citizen of unusual distinction. Sprung from a family which has long been conspicuous for eminent public service rendered in many fields and has been distinguished alike in the pulpit, on the bench, in the army, in education, in literature, in politics and in business, he felt the inspiration of its traditions, and in his turn did his full duty to the State. He was active in such varied ways that his death leaves not one but many vacancies, each hard to fill, and in the record of his life there is no page which we would wish to erase.

He was born on January 7, 1855, and died on March 6, 1911, in the fifty-seventh year of his age. Educated in private schools, he went to Harvard College, entering the Sophomore class in 1873. He carried with him a natural refinement, increased by his education, which gave him a place of his own among his classmates. He had no sympathy with the rougher side of college life, no appreciation of what men found delightful in its coarser amusements, but his frank and straightforward manliness were thoroughly appreciated, and he commanded universal respect and warm regard.

He graduated in 1876 with honors in history and after a year spent in European travel entered the Law School, where he remained two years. After a year in an office he became the private secretary of Horace Gray, then the Chief Justice of Massachusetts, and this experience gave him a glimpse of judicial life which may well have fostered in him an ambition for the bench. When he resigned this place he began the practice of the law in partnership with his cousin, now the President of Harvard College, and his classmate Frederic J. Stimson.

As a member of this firm he was employed in very important matters, but not such as attracted public attention, and while he showed himself a sound lawyer and was held in high esteem by his clients, he did not during his years of practice acquire a conspicuous position at the Bar. He presented a question of law to the Court clearly and well, and was a wise adviser, but he had no taste for the work of a jury lawyer, though had he been

drawn into this branch of professional labor he would undoubtedly have won the respect and confidence of jurymen, as he did of all men with whom he was brought in contact.

He took a strong interest in politics, and in 1889 was elected a member of the City Council. Six years later he was chosen to the Massachusetts House of Representatives, where he served for three years and won the position of a leader. Had he continued to follow this career he would unquestionably have been called to high office, but his appointment to the bench of the United States District Court terminated his political activity. In the Council and in the Legislature he enjoyed an ascendancy derived from his character, his transparent honesty, his public spirit and his singleness of purpose. He respected his colleagues, and in return they respected him, and if in some cases his confidence in the rectitude of his associates was greater than they deserved, the reason is to be found in the remark of one that no man would have dared to approach Lowell with any dishonest suggestion. He radiated an atmosphere which protected him against baseness. Men showed him their best side, and he lived therefore in a purer air than most of us breathe, so largely does every man create his own world.

He early entered the service of Harvard College, as an Overseer from 1886 to 1895, and as a Fellow of the Corporation from 1895 until his death. He was an active member of both boards, and did his Alma Mater good service in both. As an Overseer he joined in a report which, if adopted, would have done much to end the abuses of college athletics, and perhaps might have helped to rekindle the love of learning in breasts where it is now almost extinct. As a Fellow he was ever useful in the councils of the Board and always an influence for good. It seemed to his friends as his strength waned that he gave too much to other than his judicial labors, but his devotion to the college forbade him to spare himself and he was untiring to the end.

He was interested in historical research, and his monograph on Joan of Arc was a careful and a novel discussion of her career and her condemnation. In the year 1896 he delivered an oration before the Historical Society of Beverly and he wrote various articles for magazines. As a member of this Society he prepared the memoir of Francis A. Walker and paid a tribute to

Governor Wolcott, but his duties as a judge left him little time to indulge his taste for literary labor.

He was appointed United States District Judge for the District of Massachusetts by President McKinley in 1898, and was made Circuit Judge for the First Circuit in 1905, an office which he held until his death. It was on the bench that he won his greatest distinction. He brought to the discharge of its duties a high moral sense, a love of justice, an adequate knowledge of law, a courtesy which never failed, a great capacity for work and untiring devotion to duty. He was the New England conscience in its highest embodiment without the manner which like the burr of the chestnut sometimes needlessly wounds him who encounters it.

He was not a great lawyer, and perhaps had no controlling native aptitude for the profession which he chose, but he was a model judge. He presided at a trial with courtesy and firmness in due proportion, and was able to prevent the constant bickering between counsel which too often wastes time, tries tempers and interferes with the administration of justice. Every man's rights were scrupulously protected by him, and his presence on the bench, as elsewhere, purified the atmosphere of the court room. His promotion to the Circuit Bench in 1905 was well deserved, and every succeeding year made him a more valuable magistrate. His published opinions number more than three hundred, and with four or five exceptions his judgments were sustained by the Court of Appeals. He dealt with questions of great variety and his contributions to the law were important and enduring. His untimely death at the maturity of his powers is a calamity deplored alike by his associates on the Bench, by all members of the Bar who ever practised before him and by the community which trusted and leaned upon him.

A gentleman in the best sense of the word, brave, frank, pure and courteous, an able judge, a public-spirited and most useful citizen, a supporter of all that is good in our State and a foe of all that is evil, his great power lay in his character, which every man recognized and could not help respecting. He drew out what was good in men and repressed what was bad wherever he was, and no man in our time has proved more completely the truth of Charles Sumner's words "Remember, young man, that character is everything."

Mr. WEEDEN read a paper upon

WILLIAM CODDINGTON.

William Coddington was one of the remarkable men of New England in the mid-seventeenth century. Born in Boston, England, he landed at Salem in 1630, being one of the original Assistants or Magistrates under the charter of Massachusetts Bay. Before the settlement of Boston was named, he built the first brick dwelling-house there, and afterward was elected treasurer of the corporation. He might have become a powerful citizen under Winthrop, had he not been involved in the Hutchinson controversy, as we shall perceive.

December 14, 1634, a committee was sent out across Neponset to "assign lands for William Coddington and Edmund Quincy to have for their particular farms there." A portion of these lands in Quincy or Braintree was afterward known as the "Coddington School Lands." The tradition ran that the tract was a gift from Coddington. In a careful study published in the *Quincy Patriot*, September 12, 1891, Mr. Charles Francis Adams exploded this legend, showing that the title was obtained by purchase.

In 1636 Pastor Wilson in the words of Winthrop delivered a "very sad speech" arraigning Mrs. Hutchinson and arousing public opinion against her heresies, as he considered them. Vane and Cotton opposed him, and Coddington was of their party. Boston was at first in favor of Anne's doctrines, and chose for representatives from the freemen to the General Court, in 1637, Vane and Hough with Coddington. The Court attempted to reject them on a technical pretence, but the freemen insisted at a new election and compelled the Court to receive them. Points of etiquette as well as of doctrine convulsed the sensitive community. Vane was wont to occupy a seat of honor with the magistrates at service on the Sabbath, but he now went with Coddington to sit with the deacons, much to Winthrop's annoyance.

Coddington, Aspinwall and Coggeshall were sent from Boston to the new Court, which had a meeting November 2. Coddington was an honored official, classed in the public estimation with Winthrop and Endecott as one of the founders of

the colony. Yet the Court expelled him because he had signed a petition with some sixty remonstrants of Boston in favor of Wheelwright. Although Winthrop was friendly to Coddington, he took ground against him, when he asked to be heard as the Court was proceeding to judgment against Mrs. Hutchinson. Coddington persisted in words which are good for all time:

> I beseech you do not speak so to force things along; for I do not for my own part see any equity in the Court in all your proceedings. Here is no law of God that she hath broken; nor any law of the country that she hath broken. Therefore she deserves no censure. Be it granted that Mrs. Hutchinson did say the elders preach as the apostles did, — why, they preached a Covenant of Grace. What wrong then is that to the elders? It is without question that the apostles did preach a Covenant of Grace before the Ascension, though not with that power they did after they received the manifestation of the spirit. Therefore, I pray consider what you do, for here is no law of God or man broken.[1]

Coddington was not "convented" or banished positively, like Wheelwright and Anne Hutchinson, but he was a citizen used to respect and worthy of it. He was shunned in such manner as to make him uncomfortable. He was on fair terms with Winthrop considering the condition of affairs. Later on, in 1640, he wrote a conciliatory letter to him. He approved "of a speech of one of note amongst you, that we were in a heate and chafed, and were all of us to blame; in our strife we had forgotten that we were brethren." [2]

In 1638 nineteen persons migrated from Boston to Rhode Island. After consulting with Roger Williams and the settlers at Providence, they chose Pocasset on the island, and the name was afterward changed to Portsmouth. Twelve of these emigrants were of the Boston church, and more than half of the magistrates from the town were included. This tale shows how deeply the Antinomian controversy had affected the community. Though submerged by the party of radicals, Coddington was a natural conservative.

Coddington with his migrating companions assisted by Roger Williams obtained from Canonicus and Miantanomoh, chiefs of the Narragansett tribes of Indians, a deed of the islands

[1] Adams, *Three Episodes*, I. 506. [2] 4 *Collections*, VI. 314, 317.

Aquidneck and Conanicut lying at the mouth of the bay. They settled on the north shore of Aquidneck at Pocasset, and Coddington was elected "Judge." The "Inhabitants or Freemen were to be received by common consent of the Body." January 2, 1639, three "Elders" were associated with the Judge to assist in the "execution of justice and judgment." Here was an autocratic judge, a division of authority between judge and assistants; and finally a veto of the freemen, which might be exercised four times a year. This government was constituted much like a sanhedrim, the supreme council and highest tribunal of the Jewish nation. Moses selected the original examples of these magistrates.

Neither party of the Pocasset and Portsmouth settlers was content with this attempted constitution of a government. It was designed to control the Antinomian element, strongly democratic and popular as it was. The Plantation at Providence tended in the same direction, laboring with many vagaries hardly practicable even in experimental government. Property in this world did not encumber these idealists, whose visions were fascinated by the perfections of a heavenly life.

Coddington's instincts were feudal, especially regarding land, — legal in tone rather than popular, like the Antinomians proper. April 28, 1639, his entire government, judge and three elders, withdrew to Aquidneck, signing a compact for a settlement. Between May 1 and 16 the party exploring and led by Nicholas Easton landed at Coasters' Harbor, where the United States Naval College is now established, and built shelter-huts there. May 16 the first town-meeting was held and the name Newport was chosen, though in the early times Rhode Island was more generally used. November 25, 1639, the plantation acknowledged that they were "natural subjects to King Charles their Sovereign Lord and subject to his laws." Debts were formally subjected to the courts. March 12, 1639–40, representatives from Pocasset, now Portsmouth and Newport, joined, electing William Coddington Governor. A deputy governor and four assistants were added, and they were all justices of the peace. The second General Court for the island, in 1641, declared itself "a Democracie or Popular Government." [1] An

[1] H. C. Dorr sagaciously remarks: "they meant by Democracy an equality of political rights only among the members of the free or ruling classes." R. I. Hist. Soc. *Proceedings*, New Ser., III. 220.

important record stated "the law of the last Courte made concerning Libertie of Conscience in point of Doctrine is perpetuated."[1] This indicates that Coddington's autocratic shell had been pierced or weakened by the larger popular spirit which affected Rhode Island and all the Providence Plantations.

The Massachusetts Bay had not forgotten their vagrant children, and, February 28, 1640, sent a committee of three from the Boston church, characterized by Rev. Thomas Weld as "of a lovely and winning spirit," to look up Portsmouth and Aquidneck. They carried an iron glove beneath the velvet touch, for according to Winthrop they were to call the churches to account for communicating with excommunicated persons. Aquidneck would not receive the committee, claiming that one Congregational church had no power over another.

Lechford, the lawyer of Boston, visited the island about this time and reported a population of some two hundred families at Newport. Probably his estimate was too large. Robert Lenthall was admitted a freeman and "called to keep a public school for the learning of youth." This was a well-administered school and one of the first in America — far in advance of education in Providence. There occurred a schism in the church at Newport, which leaned toward the seventh-day Baptist persuasion under the lead of John Clarke. Very likely this was the beginning of Coddington's conversion to Quakerism.

Samuel Gorton was at Portsmouth before he settled at Shawomet or Warwick. He[2] appeared occasionally in the courts at Newport, greatly to the annoyance of Coddington and the conservatives. Of great ability, Gorton was a mystic and profound theologian, far beyond Coddington or even Roger Williams in comprehension of popular and representative government. Gorton and his friends were in the minority and soon migrated to Shawomet.

Coddington was a good judge and administrator of law, a sound merchant; but he could not administer the government of a community or state. In 1642 he began to coquet with the Dutch at Manhattan for political support.[3] Winthrop[4] in

[1] R. I. *Col. Rec.*, I. 112, 113, 118.

[2] Gorton, *Life and Times of Samuel Gorton*, records the controversies between Coddington and Gorton with full references to the authorities.

[3] R. I. *Col. Rec.*, I. 126. [4] *Journal*, II. 211.

1644 noted that it would be great inconvenience to England, if they [of Rhode Island] be forced to seek protection from the Dutch. Coddington did not leave his former adversary unmolested at Shawomet. The Bay was persecuting him, and Coddington wrote Winthrop, August 5, 1644, "Gorton shall not be by me protected."

The worst disavowal of his own principles was when Coddington applied in August or September, 1644, and at another time to Plymouth, to be admitted to the Confederation of the New England Colonies, an immense decline from his sublime sacrifice for liberty of conscience under the lead of Anne Hutchinson, when he braved the whole power of the Puritan theocracy.

January 29, 1648–49, he sailed to England to procure a separate charter for Rhode Island or Newport. Doctor Turner shows by citations from Coddington's letters to Winthrop (R. I. *Tracts*, No. 4, 55–57) that he was moved by the interest of Massachusetts Bay in the persecution of Gorton at Shawomet to oppose the action of Newport under the first charter and to keep from the union of Providence Plantations with Rhode Island as it was finally affected. About this time he built his house, which stood until 1835, an example of the better sort of dwellings in New England, — two stories, the first overhung, while a solid stone chimney, partially covered, blocked one end. The roof was shingled and the sides clapboarded. It must have been substantially convenient or it would not have endured so long. His farm was a magnificent estate of some seven hundred and fifty acres, stocked with cattle and sheep. He gave much attention to the introduction and breeding of fine sheep and probably of cattle.

Governor Coddington's town-house as pictured in Palfrey's history was on the north side of Marlborough Street opposite the end of Duke Street and diagonally across from the old State house. The site of the house was recently occupied by the residence of G. W. Smith.

Coddington used another house in the country, which stood on land of the Newport Hospital on the west of "Lily Pond" on "Rocky Farm." This location was south and east of Thames Street, as it debouches into Carroll Avenue. The residence was probably included in the seven hundred and

fifty acre farm. We may fairly suppose this farm covered a large portion of the present commercial district of Newport.

In addition, the Governor owned a large tract at Coddington's Cove and Point, north of the Naval College. He was engaged in large affairs, and introduced the export of horses to the West Indies.

Coddington's "Usurpation," as it was called and execrated at home, consisted of a commission signed by Bradshaw, April 3, 1651, appointing him Governor for life of Aquidneck, alias Rhode Island, and Quinunnigate Island. The new satrap appeared at home in August, 1651, finding revolt and no obedience. Williams sailed from Boston, November, 1651, for a new charter for the colony. Doubtless Coddington's coquetry with the Manhattan government helped Williams, for he obtained an order vacating the Coddington commission October 2, 1652, and authorizing the colony of Providence Plantations to proceed under the government of the patent of 1644. It was said the Dutch offered soldiers to be employed against the inhabitants of Rhode Island in 1652.[1] The Coddington administration of the plantation was a complete failure.

In 1653 the court of the island demanded that Coddington deliver the statute book and records. He refused, rejoining that he dared not lay down his commission, having received no notice from England of its withdrawal. March 11, 1656, he made an "abdication," so called, appearing at the Court of Trials: "I William Coddington doe freely submit to ye authoritie of his Highness in this Colonie, as it is now united and that with all my heart."[2] Doctor Turner[3] properly says it argues well for the good temper and general good sense of our subject, that in this short period he overcame the strong prejudices prevailing against him on account of the usurpation. Pressure was severe from the neighboring colonies, and the men of Rhode Island did well to settle disputes and combine as far as possible for practicable government.

The Quakers were gaining great political power, and in 1674 they made Coddington the Governor of Rhode Island and Providence Plantations. With their usual non-comprehension

[1] *Doc. Hist. New York*, I. 497. [2] R. I. *Col. Rec.*, I. 327.

[3] *R. I. Historical Tracts*, No. 4, 40. *Cf.* 43, for abstracts from British State Paper Office.

of the whole duty of a State, these non-resistants left the weak colony in poor preparation for the great Indian warfare of 1675–1676. Wealthy and isolated, Newport and the island did not suffer incursion from the savages. Mr. Richman, in the *Making of Rhode Island*, cites Roger Williams as criticising our subject for inhospitality at Newport toward refugees from Providence. "Doth Mr. Coddington think to be so high a saint . . . and yet in men's account loves the world exceedingly?" [1]

This should not be construed too literally or exactly in considering the relative characters of Williams and Coddington. The best parts of the one were directly opposed to the better constituents of the other. Coddington believed in a severely tangible structure regulated by law and justice. Williams, reaching out for spiritual things beyond the scope of previous governments, relied on his individual soul to do right and wisely. The two differing men could not coalesce in any imperfect system of government practicable in the seventeenth century.

Certainly Coddington's fellow citizens soon forgave his errors and gave him their confidence in the administration of affairs. His portrait hangs in the council chamber at Newport — a memorial from a grateful people. In discussing the history of his appeal to England and vagaries of "usurpation," we must not forget the immense obligation to him, first of the local community and finally of the whole colony of Rhode Island, for forging out the structure of legal society. It is not easy to make a government, especially when that government is moving on lines new and untried, as the men explore new fields.

Chief Justice Thomas Durfee [2] remarks that in less than three years in the beginning of the island plantations, these common Anglo-Saxon freemen advanced from a town meeting to "a well organized judiciary," excellently suited to their wants and fully equipped for the dispensation of justice according to the methods and principles of the common law. The code has a homogeneity, as if, how many soever may have contributed to it, some one master mind had given it form and character. "If it was Coddington's, then to Coddington," whatever his subsequent demerit, belongs the unforfeitable credit of it. We may observe that John Clarke was the only

[1] R. I. Hist. Soc. *Proceedings*, 1875–1876.
[2] *Judicial History of R. I.*, 6, 7.

other man among the planters who had sufficient ability for such an undertaking. His education was that of a physician, while his tastes and final calling carried him into the ministry.

This system of justice and judicial organization lasted with little change for some two centuries. It was adopted substantially by Providence Plantations. We can hardly comprehend how Rhode Island and Roger Williams' party could have endured and become a State capable of endurance without this legal structure or something like it. Williams and his nearest friends while marvellous in estimating and trusting the capacity of the individual soul in meeting the main responsibility of life, — in the power of religion in brief, — had no conception of the action of law and government in the common necessities of daily living.

Coddington died in 1678, or about the time when the founders of these colonies were departing life and their civilization was becoming fairly settled. Every one studying the records has regarded him as possessing a strong intellect, excepting Doctor Palfrey. The doctor was not judicial in estimating either Antinomians or Quakers. He said of our subject:

> Whether it was owing most to want of balance and want of force in his mind and character, or to the perversity of those whom he had undertaken to improve, profit, and govern, his hold on their confidence had not proved lasting. Happily for his peace of mind, from Antinomian he had turned Quaker; and the visions and controversies of his sect provided him with resources for enjoyment in his declining years.[1]

In our day this may be called a chromatic scale of dissolving views.

We may admit that his character lacked balance and could not carry through common life the power of his intellectual conceptions. Many men can conceive propositions, who cannot stand up against the slings and arrows of outrageous fortune, in meeting the ills of conduct and government. Let us turn to the wise comment of a true Rhode Islander, whose philosophic

[1] Palfrey, *New England* (ed. 1882), III. 444. A little-known tract against the persecution of the Quakers in Massachusetts was written by Coddington and printed in London in 1674. It has for a title: *A Demonstration of True Love unto you the Rulers of the Colony of the Massachusets*, etc.

survey took in the whole world and was not limited like the ideals of Puritan enthusiasts. "He had in him a little too much of the future for Massachusetts, and a little too much of the past for Rhode Island, as she then was." This better renders the curious inconsistency of the then times, which only derive importance from their incipient future and are not necessary models for all time.

Doctor Turner, writing in 1878,[1] while commenting very severely upon Coddington for his course in the "Usurpation," treats his character very reasonably. The qualities of mind come out as he depicts his career.

> The faults of Coddington seem to me, those growing out of a weakness of character, rather than of wrong intent. He grew up probably in a position of wealth and importance under a strong government, and imbibed those sentiments of respect for authority which are natural to his class. He came to Massachusetts already alleged as an important member of the Council of Government, and so remained until his last year in Massachusetts, and, as he undoubtedly expected, was immediately acknowledged as the leading member of the settlement at Rhode Island. As the recognized head of that community, then in perfect accord with common objects and common interests, with no particular reason to anticipate differences which eventually arose, he very naturally looked at the very republican form of the institution they adopted, himself being the leading spirit, through a rose colored medium. But when the selfishness of human nature had had time to mature its never failing crop of differences and animosities, and his own superior consequence and influence began to decline, he began, as most men do, to lose his faith in the capacity of men to govern themselves, and could see no way to secure the young settlement from destruction, but the restoration of his own authority, under a form which should make it independent of the caprice of the people. Almost any man would be in favor of monarchy if he could be king.

The best recognition history can give Coddington is to emphasize the new confidence awarded him by his fellow pioneers, after he recanted the errors of his "usurpation." This proves the essential integrity of the man, though the ruler and governor had been found wanting. Over and beyond the lesser details of his career, stands the stability of the

[1] R. I. *Historical Tracts*, No. 4, 49.

colony and State of Rhode Island. The outcast community of Providence Plantations, possessing only soul-liberty, — a new and non-effective political doctrine then, — built itself up on the rock of Coddington's law and justice. A State maintaining the freedom of the soul then, has come to be one of the world's monuments now.

Governor LONG read a paper upon

GENERAL ROBERT E. LEE.

Col. W. R. Livermore's paper descriptive of the first day at the battle of Gettysburg is so instructive that it is to be hoped that he will give us also the second and third days. Military campaigns and battles are a prolific source of differences of view and opinion, which are as many as there are critics. Our President, Mr. Adams, has in his recent paper renewed the emphasis of the caution with which we should form an estimate of Washington as a commander of an army, and his paper has to some extent suggested this one of mine. Equal caution is needed when we consider General Grant or General Lee or any other captain.

General Lee is the foremost figure on the Southern side of our great Civil War. He seems to me to be, more than any other American, like Washington in character and quality. Had the South succeeded, he too would have been a Father of his country. Neither of these men was a great genius; each was a great good man, using that term as defining excellence of character and quality. But that Lee is to be reckoned among the greatest military commanders, as is sometimes claimed for him, seems to me to be a mistaken estimate. I say "seems to me," remembering that I know nothing of military science, and am among the least qualified to pass judgment in that respect. Yet I am one of the overwhelming majority of the uninformed mass who have to make up our minds for ourselves as best we can.

There is no question of Lee's commanding ability, his masterful movements, his brilliant successes against odds. But as Washington made mistakes, as Grant made mistakes, as General Sherman, if I remember rightly, made few mistakes [here Mr. Adams, our President, interrupts me to say that General Sher-

man made many mistakes but never repeated them, to which I reply that a man who never repeats a mistake may be said never to make one], so General Lee made mistakes and at Gettysburg so blundered that he there gave a death blow to the Southern Confederacy and made it a lost cause.

His campaign in West Virginia at the beginning of the war was anything but successful or promising. In the Peninsular campaign in 1862 he once or twice so rashly divided and weakened his lines that only the fighting incompetency and utter lack of initiative on the part of McClellan saved the Confederate army from disaster and Richmond from falling. His assault on Malvern was either ill-judged or ill-directed, and was disastrous. At Fredericksburg Lee was chargeable with the same inertness which our President, Mr. Adams, justly charges upon General Howe in letting Washington after the battle transport his troops across the East River to New York — Lee permitting the federals to cross back over the Rappahannock when he had their rear at his mercy. At Chancellorsville he again divided his army and exposed its wings to successive annihilation by our overwhelming numbers, had Hooker had all his reins in his hands and been capable of driving his big team — a wretched condition on which Lee could not have counted. That he won the battle is not so much due to generalship or an evidence of it, as it is due to luck in the incapacity of the "other feller" and in the lack of the most ordinary vigilance on the part of some of the "other feller's" corps and division commanders, —of all which Lee had, however, at that time no proof.

The safety of the Southern Confederacy was in its army's remaining on the defensive. There Lee had found himself invulnerable for a long time. When he crossed into Maryland in 1862 and again in 1863, he made the mistake that Mr. Adams suggests that Washington made in advancing to the Brandywine, and thereby turned what had till then been the certainty of defence into the risk and failure of attack.

At Gettysburg is it too much to say that Lee lost his head, which a captain of the first rank does not do? Successful on the first day, he was at sea on the second. Leaving Longstreet to press the attack on the right, he failed to move Ewell to Longstreet's support with the great corps which Ewell commanded

on the left. That corps remained practically inactive all day long, whereas, if so moved, it would very likely have insured the success of the Confederate attack. It may be the mark of a kind heart, but it is not the mark of a great military commander, that, rather than hurt the sensitive feelings of his subordinates, Lee refrained from giving them a positive order and preferred to suggest to them his opinion. It reminds me of Mr. Alfred C. Hersey, of Hingham, whom perhaps our President, Mr. Adams, remembers, and who, commanding a militia company on the march in the old days and coming to a sharp turn in the road, instead of martially ordering "Right wheel, march," said, pointing with extended hand, "This way, gentlemen, this way, if you please."

On the third day at Gettysburg the charge of Pickett which Lee ordered was simply madness. His own subordinates knew it was a blunder. Think of the flower of his army, its very right arm, a long exposed column parading the length of an open valley-field, marching for nearly a mile to certain destruction and practically defenceless under the direct blasting fire of shot and shell from our batteries. It was like a lamb led to slaughter! It melted like snow under a mid-day sun. If there had been any hope at all of success, it was so faint from any point of view that the risk was simply overwhelming and unpardonable, and was such that no great or little military commander should have thought of taking it. Lee's failure at Gettysburg becomes pathetic, viewed from the standpoint of him personally. He was of course a great soldier, but, as our President, Mr. Adams, finds in the case of Washington, is there not room for modifying the popular and conventional estimate of him in that respect? Grant added little to his military fame after taking command in Virginia in 1864, but I find nothing in Lee's campaigns that will compare with the swift campaign of Grant from Vicksburg through the heart of Mississippi, capturing Jackson, its capital, fighting a battle every day, striking and smashing the Confederate forces like a thunderbolt, perfect in his celerity of movement and accuracy of combinations — a campaign as brilliant as any one of Napoleon's.

However the foregoing are only the reflections of an inexpert who distrusts his own impressions and seeks illumination. In that spirit I wish somebody would write a history of the blunders

in military campaigns, of the drunkenness and jealousies and downright stupidity in many officers of various rank from the head down, which have wasted blood and treasure and lost victories. I wish that he would show in how many cases the mere element of luck and chance has turned the scale and given a commanding general the praise or blame which he neither deserved nor earned, and that he would discriminate between what is due to the commander who always gets all the popular glory or blame and what is due to his subordinates who have often quite as much deserved it. There is nothing blinder than a great battle, the whole or even a great part of which no one individual in it ever saw or comprehended in its kaleidoscopic progress; and there are few things less conclusive and satisfactory than the attempts at its exact reproduction even by the honestest critics. It is easy enough for them to tell how the thing ought to have been done, but it is exceedingly doubtful whether they would have done it any better or even as well. Probably not.

Col. WILLIAM R. LIVERMORE made the following presentation:

It is always of interest to our Society to know that its writings have helped to make history as well as to record it.

On the stated meeting on the 10th of July, 1862,[1] my father, Mr. George Livermore, read before the Society the substance of a work of over 200 pages, entitled *An Historical Research respecting the Opinions of the Founders of the Republic on Negroes as Slaves, as Citizens and as Soldiers.*

Of this work Mr. Winthrop, then President of the Society, said that it alone would have been "enough to secure for him a reputation which any of us might envy."

Mr. Deane says in the Memoirs of Mr. Livermore:

"Among the agencies which swayed the public mind at that time," says a distinguished civilian, "this publication cannot be forgotten." Attorney-General Bates acknowledged his obligation to it in making up his opinions on the status of the negro; and "it is within my own knowledge," says Senator Sumner, "that it interested President Lincoln much. The President expressed a desire to consult it while

[1] *Proceedings*, VI. 78. The paper was printed in the minutes of the August meeting, to be found in the same volume, pp. 86–248.

he was preparing the final Proclamation of Emancipation; and as his own copy was mislaid, he requested me to send him mine, which I did."

This work was issued in five different editions in a most luxurious style. . . .

A pamphlet of eight pages of extracts from it was published soon after, in Philadelphia, by Henry C. Baird, entitled *George Washington and General Jackson on Negro Soldiers*, of which over 100,000 copies were printed.[1]

It may be of interest to read Sumner's letter and a few extracts from the newspapers referring to the book and to Lincoln's acknowledgment of its services.

WASHINGTON, Xmas Day [Dec. 25, 1862].

DEAR LIVERMORE, — Last evening the President referred to your book — said that his copy was mislaid, and that he wished to consult it now. I told him at once that he should have my copy, and I have accordingly sent it to him this Xmas morning.

Now I rely upon your goodness to replace what I have given up.

Dr. Lieber, who is here, is anxious that a cheap edition should be printed with a good index.

The President is occupied on the Proclamation. He will stand firm. He said to me that it was hard to drive him from a position which he had once taken. Ever yours,

CHARLES SUMNER.

WASHINGTON, 28th Dec., '62.

MY DEAR LIVERMORE, — On my return from a protracted interview with the President about the Proclamation, I found your note, which I have enclosed to him with the expression of a hope that he will be able to gratify you, at least in part.

The President says he would not stop the Proclamation if he could, and he could not if he would.

Good bye! Hallelujah! Ever yours,

CHARLES SUMNER.

Sumner asked Lincoln to take note of the pen he used on that occasion and to reserve it for his friend in whose work on colored persons and their rights he had been interested. This the President did and Livermore duly acknowledged.

[1] *Proceedings*, x. 464.

Senate Chamber, 9th Jan., '63.

My dear Livermore, — I read to the President your letter on the pen, and then handed it to him. He said he would accept it as your answer, so that you need not trouble yourself to write again.

The Proclamation was not signed till after three hours of hand-shaking on New Year's day, when the President found that his hand trembled so that he held the pen with difficulty. The enemy would say, — naturally enough, in signing such a document. But it is done, and the act will be firm throughout time.

The last sentence was actually framed by Chase, although I believe that I first suggested it both to him and to the President. I urged that he should close with "something about *justice* and *God*." Those words must be introduced. The sentence which I suggested — without, however, writing it down — was this: "In proclaiming freedom to the slaves, which I now do, as an act of military necessity, for the sake of the Constitution and the Union, I am encouraged by the conviction that it is also an act of justice to an oppressed race, which must draw down upon our country the favor of a beneficent God."

I then added, as I was leaving him, that there must be something about "justice" and "God." Ever yours,

Charles Sumner.

The announcement of Emancipation in September ended with the promise in due time to recommend that all citizens who should have remained loyal to the Union throughout the rebellion should be compensated for all losses by acts of the United States, including the loss of slaves.[1]

The final proclamation, as we remember, ended with the clause:

> And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.[2]

The comments of the press have now some historical value. A few were preserved by Mr. Livermore and kept in this box. The first is an editorial from the *N. Y. Tribune*.

[1] *Messages and Documents of the Presidents*, vi. 98. [2] *Ib.* 159.

THE GREAT PROCLAMATION.

The Rubicon is passed, the proclamation is issued, and hereafter the rebellion and slavery become so far identical as to live or fall together. A few pro-slavery papers are making light of it, but Jeff Davis knows better than to sneer at it, as his brutal retaliatory proclamation testifies. We see it stated that the pen with which President Lincoln signed the document has been intrusted to Charles Sumner, to be given to George Livermore of Cambridge. The proclamation has been honored with public and congratulatory gatherings and celebrations in a good many places, and in some instances the bells were rung. A jubilee concert was held at the Music Hall in Boston, and three large meetings were held at Tremont Temple on Thursday. The reception of the proclamation at the latter, in the evening, created great enthusiasm. At Gov. Andrew's order one hundred guns were fired on Boston Common on Saturday. At Norfolk, Va., the negroes turned out in a procession 4000 strong, and there was considerable excitement, but no riotous demonstrations. The limits to which the proclamation is assigned (see first column in this paper) include, according to the last census, 3,123,199 slaves, about three-fourths of the entire slave population of the country, and a larger number of people than the entire country contained in the revolutionary war. Some anxiety has been felt as to the effect of the proclamation in the border states, especially Kentucky. Of course a large portion of the people there do not approve it, and quite probably it may strengthen the rebel cause, but that state is too fully committed to the Union to be carried over to the rebels, even nominally, at this late day. As to the real and final effect of the proclamation no one is perhaps wise enough to tell with much certainty. It should be remembered that as a legal document it can never be revoked, it being impossible by any law passed by the United States to make the slaves thus freed bondmen again. No Christian man, it seems to us, can review the events which have led to this result without seeing in them the hand of Providence as a controlling power.

Another is an editorial paragraph from the *Tribune* of January 16, 1863, concerning the pen itself:

Senator Sumner read to the President on Tuesday night an eloquent letter from Mr. George Livermore of Boston, acknowledging the receipt of the steel pen, with an ink-spattered, broken, wooden handle, with which the President signed the New Year's Proclamation. Mr. Livermore's claim to its possession is founded upon his

"historical research" as to the opinions of the founders of the Republic respecting negroes as slaves, citizens and soldiers, a copy of which was presented to the President while he was engaged in writing the Proclamation. This paper, read before the Historical Society of Boston [Massachusetts Historical Society] and printed for private distribution, should — particularly the second part, which deals with the negro as a soldier — have a wider circulation. It would go far to dispel the prejudice against enabling the black man to assist in saving the country.

An Historical Research Respecting the Opinions of the Founders of the Republic on Negroes as Slaves, as Citizens and as Soldiers, by George Livermore, pp. 215 (Boston: John Wilson & Son), is the most important work which has ever been published in this country upon the subject of slavery. It is the Scriptures of American Freedom. President Lincoln gave an appropriate expression of his sense of the value of Mr. Livermore's labors by giving him the pen with which he signed the Proclamation of Jan. 1, 1863. We hope that a cheap, popular edition of this candid and accurate work will be issued and circulated throughout the country. We know of no better antidote to the insane prejudices which possess many minds at the present time than the calm, reflective and humane sentiments of Washington, Adams, Hamilton, Franklin, Gadsden, Laurens, Marshall, Sherman, Martin, Morris and a countless host of other patriots of the Golden Age of the Republic. It would greatly add to the value of the book, as a work of reference, if it were provided with a very full index.[1]

But all the notices were not equally laudatory.

To show the feeling at this time, Mr. Livermore preserved one which is hard to understand, and which may at least in part have been inspired by a sympathizer with the rebellion.

For the Sun.

A Parody.

This is the Proclamation that Abe writ.

This is the Pen that signed the Proclamation that Abe writ.

This is the Goose that shed the quill, that formed the pen, that signed the Proclamation that Abe writ.

This is the Nigger made free-born, that tossed the Goose, that shed the quill, that formed the pen, that signed the Proclamation that Abe writ.

[1] Also from the *Tribune*, but of unknown date. It contains the very suggestions made by Dr. Lieber, then a contributor to that journal.

This is the Sumner of abolition form, that was cuss-toad-i-on at Washington, that embraced the Nigger made free-born, that tossed the Goose, that shed the quill, that formed the pen, that signed the Proclamation that Abe writ.

This is the Livermore all forlorn, that received the treasure of the cuss-toad-i-on, that blesses the Sumner of abolitiondom, that embraces the Nigger made free-born, that tossed the Goose that shed the quill, that formed the pen, that signed the Proclamation that Abe writ.

These are the Abolitionists all shaven and shorn, that nullify the laws of our Constitution, that adore the Liver-more all forlorn, that treasured the memento of abolitiondom, that was intrusted to the Sumner cuss-toad-i-on, that embraces the Nigger made free-born, that tossed the Goose, that shed the quill, that formed the pen, that signed the Proclamation that Abe writ.

This is the Party that crowed in the morn, that hugged Abolition all shaven and shorn, that nullified the laws of our Constitution, that adored the Liver-more all forlorn, that treasured the memento of Abolitiondom, that was intrusted to the Sumner cuss-toad-i-on, who embraced the Nigger made free-born, who tossed the Goose, that shed the quill, that formed the pen, that signed the Proclamation that Abe writ.

The following letter of Mrs. William Endicott, Jr., is necessary to understand the last letter from Sumner:

To GEORGE LIVERMORE.

DEAR SIR, — I write at the suggestion of Mr. Sumner and in behalf of the ladies connected with the "Sanitary Fair." We have arranged as one source of profit for an exhibition, in small rooms opening from the Music Hall and entirely distinct from the Fair itself, of rare articles interesting from their antiquity, beauty or association. Mr. Sumner has kindly loaned us his valuable literary treasures, and has suggested that you have some things that would be valuable for our purpose, among other things, the pen with which the Proclamation was signed. We shall put all such articles under lock and key, in glass cases, and promise all the watchful care that is possible. We shall feel exceedingly obliged if you will lend us anything that you have that you think would have interest for the Exhibition, and take the liberty of requesting an early reply, as the Fair opens on Monday eve. We have *books* enough, having Mr. Sumner's missals, and Mr. Waterston is preparing us a case, in chro-

nological series, beginning with his monastic book with chain. He is also preparing us one case of autographs. We more particularly desire articles other than books and documents.

For the committee.

MRS. WILLIAM ENDICOTT, JR.

10 Mt. Vernon St.
Dec. 10th [1863].

WASHINGTON, 27th Dec., '63.

MY DEAR LIVERMORE, — I wish that the pen which signed the Proclamation could have been at the Fair — in all its simplicity, That it is the *true pen* there can be no doubt.

Some time before the signature of the Proclamation, I asked the President to take note of the pen he used on that occasion and to reserve it for a friend of mine in whose recent work on colored persons and their rights he had been interested. This he promised to do. On the night of the Proclamation, or the day after, I was with him, and promptly inquired after the important pen. He took it out of a drawer where he had carefully laid it away, and handed it to me — saying, "This is the pen." That pen I forwarded to you.

The story that he did not know the pen he used probably arose from an incident with reference to another pen. I had asked for the pen with which he signed Emancipation in the National Capital, when he said — taking up a handful of steel pens on his table: — "It was one of these; which will you take? You are welcome to all." He had not taken note of the pen he used. It was to prevent any such confusion that I bespoke the Proclamation pen in advance.

As to the photograph, I beg you to understand that neither half of "the picture" had anything to do with naming it. I hope, however, you will see one of the large pictures. Hooper tells me he has sent one to our Union Club.

I wish you a happy New Year. God bless you! Ever yours,

CHARLES SUMNER.

The pen ought to have been at the Fair. Everybody would have looked at it.

Any one who knew Mr. Livermore will remember that he was not fond of notoriety.

During the war my father's health was very poor, and in the excitement over the assassination of Lincoln he died. Nearly half a century has passed.

The reasons that deterred him from exhibiting the pen at the Sanitary Fair in 1863 would not apply to its now receiving a place in our Cabinet. As his memory is still cherished by some

who are still with us, I shall esteem it a privilege to present the pen with the letters and other documents to the Society in which the publication originated.

The EDITOR adds letters bearing upon this pen, which were found in other collections.

The following letter is taken from the Sumner MSS. in the library of Harvard University:

LIVERMORE TO SUMNER.

BOSTON, Monday, December 29th, '62.

MY DEAR SUMNER, — Thanks for your Christmas note. I feel very happy to know that the President was to look over my "Research," and I felt truly happy by the assurance that on the coming New Years day the Proclamation will be issued which is to give character and success to our war. God bless Abraham Lincoln! will be shouted by the lips and rise from the hearts of millions of the best citizens of our land, for that act. I telegraphed you to-day, "If you approve, procure at my expense a gold pen for the signature of the important document, fit for perpetual preservation." I am curious to know whether the message reaches you promptly and correctly.[1] I do desire that that should come to Massachusetts, and that I may have the custody of it for the present. If it can fairly and properly be had for me I know you will obtain it. If you send a pen to be used let me know the cost, and if you secure the treasure, please get a little box from a jeweller to put it in and send by express. I would not trust it by mail.

I have sent a bound copy of my Research for you in a parcel to J. B. Russell, clerk at the Pension Bureau office. I have put in the same parcel a copy for the Library of Congress, and one for Dr. Lieber. I will forward two or three extra copies before they are all gone to be distributed at your discretion.

I am preparing three large flags to be displayed from my house as soon as I get news that the Proclamation is signed and issued. God bless Abraham Lincoln and Charles Sumner. Your affectionate friend, GEO. LIVERMORE.

SUMNER TO LINCOLN.[2]

BOSTON, 8th November, '62.

MY DEAR SIR, — I send you Mr. Livermore's Memoir on the employment of slaves and Africans during our Revolution, and call

[1] The message is also in the Sumner MSS.

[2] The originals of the three following letters are in the Lincoln MSS., and copies were courteously given by Hon. Robert T. Lincoln.

your especial attention to the last half. You will find it learned, thorough and candid.

The author is a conservative Republican, and his paper was read before the Mass. Historical Society, which is one of the most conservative bodies in our country.

I deplore the result in New York. It is worse for our country than the bloodiest disaster on any field of battle. I see only one way to counteract it; and this is by the most unflinching vigor, in the field and in council. Our armies must be pressed forward, and the proclamation must be pressed forward; and the country must be made to feel that there will be no relaxation of any kind, but that all the activities of the country will be yet further aroused.

I am sanguine yet of the final result, although I fear further disaster; but I am sure of two things, first, this grand Republic cannot be broken up and secondly, slavery in this age cannot succeed in building a new Govt. Believe me, my dear sir, Very faithfully yours,

CHARLES SUMNER.

LIVERMORE TO SUMNER.

BOSTON, December 25, '62.

MY DEAR SUMNER, — Four volumes of the *Congressional Globe* came to me today with your frank, to be added to my library of political documents which, thanks to your kind attention, has grown greatly since you have been in the Senate.

The President is to issue his Proclamation of freedom on New Years Day, thank Heaven! God bless Abraham Lincoln will rise from millions of hearts and tongues! I do want to get and to keep the pen with which he signs this Declaration of Independence. Can it be done without impropriety — i. e., can you in any way get it for me? I would not trouble you or him for any ordinary matter, but I so much desire to have that precious instrument come to Massachusetts that I would do almost any thing to get it.

What becomes of the Manuscript of the Proclamation? Is that preserved? That would be still better than the pen — if it could be had after the printer had published it.

I enclose a letter for Dr. Lieber, not knowing where in Washington to direct to him. With the best wishes of the season, I am, Affectionately your friend,

GEORGE LIVERMORE.

SUMNER TO LINCOLN.

F ST. — 2, 12. Sunday. [December 28, 1862.]

MY DEAR SIR, — I enclose a note from Mr. Livermore, the author of the *Historic Research* on slavery in the early days of our Government, in which he expresses a desire for the pen with which you sign the immortal Proclamation. If nobody has yet spoken for it, let me.

He also inquires about the MS.

I hope you will be able to gratify him at least in part.

Believe me, dear sir, Faithfully yours,

CHARLES SUMNER.

Annotation on envelope, in handwriting of President Lincoln: "The pen it is to be signed with."

Remarks were made during the meeting by the PRESIDENT, and Messrs. LONG, STANWOOD, HART, LORD, WOODS, W. R. LIVERMORE, and T. L. LIVERMORE.

MAY MEETING

THE stated meeting was held on Thursday, the 11th instant, at three o'clock, P. M.; the PRESIDENT in the chair.

The record of the Annual Meeting was read and approved; and in the absence of the Librarian the Recording Secretary read the usual list of donors to the Library.

The Cabinet-Keeper reported the gift to the Society, by the President, of an etching of the Brattle Street Church in 1855, by Sidney Lawton Smith, and one of King's Chapel, by D. Y. Cameron, of Kippen, Stirlingshire, Scotland, issued by the Iconographic Society of Boston.

The Editor announced the gift to the Society, by Samuel S. Shaw, of a number of manuscripts, among which were papers from the correspondences of the Rev. Gideon Hawley, Samuel Phillips Savage and Chief Justice Lemuel Shaw. Among the last named were letters written to the Chief Justice during and after the trial of Prof. John W. Webster.

George Hodges, of Cambridge, was elected a Resident Member of the Society, and William Milligan Sloane, of New York, a Corresponding Member.

The PRESIDENT reported from the Council the appointment of the following committees:

House Committee: Grenville H. Norcross, Samuel S. Shaw and Worthington C. Ford.

Finance Committee: C. F. Adams, Grenville H. Norcross and Charles P. Greenough.

The PRESIDENT then appointed as the Committee to publish the Proceedings of the Society: C. F. Adams, James Ford Rhodes and Edward Stanwood.

It was voted that the income of the Massachusetts Historical Trust Fund for the past year be retained in the Treasury and expended in such objects as to the Council of the Society may seem desirable.

The PRESIDENT then said:

It is with more than the usual sense of regret that I have to announce the loss of one of our Resident Members, and a conspicuous one. Col. Thomas Wentworth Higginson died, at his home in Cambridge, at 11.30 of the night of Tuesday, the 9th instant. As Colonel Higginson was not only one of the oldest members of the Society, but a man of marked individuality, long associated in the public mind with literary work generally and historical investigation in particular, it is manifestly proper that some appreciative characterization, supplementary to the prescribed memoir, should find its place in our printed *Proceedings*. This, however, should come properly from some contemporary; if possible a life-long friend, in any event to a degree an associate, one who knew him well when young. But, graduating seventy years ago at the coming Harvard Commencement, Colonel Higginson had considerably outlived every member of this Society of his college days; for Mr. Thornton K. Lothrop entered Harvard four years after Colonel Higginson had left, and when the class of '41 had already ceased to be even a tradition among undergraduates. Colonel Higginson graduated in Quincy's time; Mr. Lothrop in that of Sparks. He having therefore outlived all his younger-day contemporaries, that which under certain circumstances could most appropriately here be said of Colonel Higginson as part of his funeral obsequies can as well be said at a future meeting. There has been no time for notice and preparation.

In now announcing Colonel Higginson's death, I shall also confine myself strictly to usage, referring only to his connection with this Society. Though born in 1823, it was not until he was in his fifty-seventh year that Colonel Higginson was elected a Resident Member. This fact has a certain historical connection in itself not without interest; and a reference to it may, I think, very properly find a place in our records, as it throws light on conditions which have long since passed away, and which will in future be little understood, and accordingly subject to misconstruction of some sort.

Though Colonel Higginson should manifestly have been made a member of the Society at a much earlier day, it was not until 1876 that he became a Corresponding Member, eleven years

after the close of the War of Secession, and while he was himself a resident of Rhode Island. Later he returned to Massachusetts, and was then chosen a Resident Member, or rather his name was transferred from the Corresponding roll to that of Resident membership. This occurred at the February meeting of 1880. He was, therefore, nearly fifty-three years of age before he was made a Corresponding Member, and fifty-six before he became a Resident Member. This fact, in connection with Colonel Higginson, is suggestive of two other not dissimilar cases, that of Charles Sumner and that of Edmund Quincy. Charles Sumner, in spite of his eminence and his turn for historical investigation, was, it will be remembered, not chosen a Resident Member of the Society until October, 1873, when he had reached the mature age of sixty-two. He died only five months later (March 11, 1874). It was much the same with Edmund Quincy. Though born in 1808, Mr. Quincy was not elected a Resident Member of the Society until December, 1869, when he was in his sixty-second year. Though the fact is now well-nigh forgotten, the same influence in all these cases prevented, or delayed, recognition. It is to be remembered, that for many years preceding, and for some years immediately following, the War of Secession, political feeling ran strong in Massachusetts, and especially in Boston; prejudices contracted during the earlier period were slow in dying away. This accounts for the delays referred to. All those I have named belonged to the extreme anti-slavery class. They also, it must be confessed, were men not without what may mildly be termed a certain incisiveness of speech. In this respect, it is true, they none of them, even Charles Sumner, equalled Wendell Phillips, who, again, never was elected into our Society. To those then living, and familiar at the time with facts and personal idiosyncrasies, this last case of omission is more easily explained. Mr. Phillips, though a philanthropist and a man intellectually gifted, noted as such for a freedom of speech rarely surpassed — whether as respects eloquence or denunciation — was yet a man of essentially inaccurate mind. To use the mildest form of appropriate expression, he was reckless in historical assertion, never caring to verify his facts, or hesitating to advance in very positive and detailed form his vague recollection, always prejudiced and often passionate, of something which had hereto-

fore occurred. His omission, therefore, from such a society as this of ours was not unnatural. Characteristically otherwise-minded, he was not historically minded; and it would have been quite impossible even to venture a prediction where, and how, and to what extent he might in any chance connection, so to speak, break loose, disburdening his mind quite irrespective of the sentiments or feelings of those participating in the occasion. His presence, for instance, and that of our late associate, Judge E. R. Hoar, in the same room, are not suggestive of a purely academic or indeed strictly historical atmosphere; acutely dynamitic would, perhaps, be more truly descriptive. Not so with the others I have named. And now, in connection with the last survivor of the three, to recall these facts is not, I think, without a certain permanent historical significance.

Recurring to Colonel Higginson's connection with the Society, he was, as our rolls show, elected a Corresponding Member during his Newport residence and was transferred to the Resident list after resuming his Massachusetts citizenship, he then being, as I have said, in his fifty-seventh year. At that time I had been five years a member of the Society. Although in those earlier days not a very constant attendant at the meetings, I well remember that, when Colonel Higginson's name was under discussion, his election was advocated on the ground that he would introduce into the Society a much to be desired element of what may perhaps best be described as opposition; for, as then constituted, there was, the Society felt, too strong a tendency in it towards conservatism, and the preservation of traditions and modes of thought which, so to speak, were not in touch with the world which had come into existence since 1865. And it was as a recognized representative of this element of, so again to express it, general otherwise-mindedness that Colonel Higginson was introduced.

As the result subsequently showed, the action justified itself. Colonel Higginson was a useful, active, courteous and, so to speak, considerate as well as progressive member of our Society. It was, perhaps, as representing this last element that, in 1891, when the Centennial of the Society was observed, he was selected to deliver the historical address at the Arlington Street Church. His address appears in full in our *Proceedings*.[1]

[1] 2 *Proceedings*, VI. 275.

Twenty-one years have since passed, and the infant that day born has attained his majority. Nevertheless, to me at least it is suggestive of the rapid passage of time — the *fugaces annos* — that the only thing in connection with the delivery of that address which has impressed itself upon my memory was a passage which occurred between Mr. Winthrop and Colonel Higginson. Mr. Winthrop, then a man of eighty-one, in the course of his remarks, — and his delivery bore distinct indications of his advanced years, — spoke of the generation then passing off the stage as that day transferring to a generation of younger men the interests and work of the Society. In his following address Colonel Higginson referred in a kindly way to this remark, suggesting that the younger generation, so far as he was concerned, was, for the transfer suggested, represented by a man in his sixty-eighth year. Having exceeded the age then attained by Mr. Winthrop and Dr. Ellis by, respectively, six and eleven years, that man of a then younger generation has himself now passed from the stage.

Once more recurring to Colonel Higginson's membership, in addition to delivering the Centennial address on January 24, 1891, he served his term as member of the Council from 1904 to 1907, being then an octogenarian. Not a regular attendant at our meetings, his contributions to our *Proceedings*, in all twenty in number, related to many different topics, — too many to admit of mention in detail. They were largely also in connection with the death of members with whom Colonel Higginson had been more or less closely associated. Such were Charles C. Perkins, in October, 1886; George S. Hale, in October, 1897; Horace E. Scudder, in February, 1902; and Charles Eliot Norton, in 1908. Other noticeable occasions were in connection with the presentation by him of an autograph letter from John C. Calhoun, in April, 1882; on presenting to the Society some Higginson papers in April, 1893; on reading his diary notes of his examination for admission to Harvard College, in June, 1900; and on the presentation, on behalf of his nephew, Edward Higginson, of a portrait by Gilbert Stuart Newton, of the Hon. Stephen Higginson, in November, 1908. During his membership of thirty-one years some two hundred and fifty meetings of the Society were held. Of these he was

present at forty-eight. At the time of his death he stood eleventh in seniority on the roll of Resident membership.

It is now so long since the disabilities connected with age have incapacitated Colonel Higginson from personal attendance at our meetings that his absence because of "arrest" by the "fell sergeant death" will here hardly be remarked. Indeed, I remember to have seen him here but once since he ceased to be a member of the Council. At the April meeting of 1907, the report he had prepared as senior member-at-large of the Council was in his absence read by his friend, Professor Hart. Nevertheless, the Society, as we all cannot but feel, has sustained a distinct and appreciable loss in the fading of Colonel Higginson's name from off the roll of our Resident membership.

At the June meeting I shall call upon Dr. Edward H. Hall for a characterization of Colonel Higginson.

The preparation of his memoir will be assigned to his friend and relative by marriage, Prof. Edward Channing.

The PRESIDENT, Mr. Charles Francis Adams, read the following paper:

TO THE CANAL ZONE AND BACK

Leaving New York for Colon, Monday, March 6th, we landed in New York on our return Thursday, March 30th, having passed ten days (13th to 23d) on the Isthmus and in the so-called Canal Zone. A winter voyage to Caribbean waters and a brief stay on the Darien Isthmus are not now so unusual as, under ordinary circumstances, to justify record, much less to call for one. Scarcely more exceptional than going to the Mediterranean by way of the Azores and Gibraltar, I should not, under ordinary circumstances, any more care to put detailed mention of it in the *Proceedings* of this Society than I would make record there of one of the numerous trips I have, first and last, made across the Atlantic. There are, however, even in these days, trips — and trips; and five years ago a winter trip carried me into a region — that of the White Nile — not yet become wholly familiar to the tourist. What I there heard and saw also proved, if not altogether novel, so suggestive that I made it the subject of

a communication which, finding a place in our *Proceedings*,[1] also at the time attracted a certain amount of general attention. Though less unusual, the Panama experience proved not less interesting and quite as suggestive as that of five years ago in East Africa. In Central America I found myself face to face with what I cannot but feel is going at no remote day to be recognized from the strictly historical point of view as an epochal development; and, thus feeling, I propose here to put on file some account of what I saw, and of what I feel assured will in time result therefrom.

Before doing this, however, I wish to forestall an obvious, though natural criticism. Ten days, it must be admitted, are a very insufficient space of time in which to make a study of so considerable and complicated an enterprise as this Panama Canal, — an enterprise with so many different aspects; much less would any observation possible to be made in that time, by one both a layman in engineering and a novice in tropical conditions, suffice for the drawing of inferences of value, or such as would be entitled to consideration. This is altogether undeniable; and yet, for reasons which will presently appear, I propose not only to tell what I saw and repeat what I was told, but to draw inferences therefrom; always, of course, subject to correction by those better informed. And I feel moved so to do by a conviction that what I have to say is at least not matter of general knowledge; and, further, that what was altogether novel to me cannot be wholly familiar to others.

Premising this, I come to my subject. From the moment I reached the Isthmus to the day I left it, what most impressed me was not the magnitude of the undertaking, the engineering and material difficulties encountered in carrying it to a successful issue, nor yet the administrative ability displayed in overcoming those difficulties; — of all these I shall later on have something to say; but it was not these which from start to finish interested me most. What did most interest as well as surprise me was the *morale* apparent in those I encountered, the high standard of their physical condition, and the energy, alertness and zeal with which amid tropical surroundings all, from highest to lowest, went at their work. This was unmistakable, and apparent from the day I left New York.

[1] 2 *Proceedings*, XVII. 248.

On the steamer were various employes, or members of the families of employes, — both sexes and all ages, — people who had been in the Zone for years and were now returning from a visit to their homes, whether for purposes of business or recreation. Not one but was ready and even glad to go back; all looked forward to remaining there for the end — till, as the expression went, they "saw the thing through." For them existence and labor in the tropics, on the Chagres River or in the Culebra Cut, had neither terrors nor deprivations, nor inconveniences even. They actually professed to like the climate and life, and to be more than satisfied with their jobs. And this expression was uniform; nor, evidently, was it in any way forced or simulated. Those I met also were unmistakably healthy in aspect; in them and in their bodily movements no indication was to be seen of that lassitude and those anæmic conditions which we are accustomed to associate with any prolonged residence in the tropics, a region in the present case ten degrees only removed from the Equator. Young and old, they were a ruddy-faced, well-conditioned set, both in aspect and in action physically in good case.

So impressed from the start, as I went on these things more and more forced themselves on my notice, incessantly calling for explanation. I had heard vaguely of measures of sanitation enforced in the Canal Zone, and of a consequent decrease in the rate of mortality; but not the less the vicinage of the treacherous, death-dealing Chagres still in association remained the worst reputed region, "the foremost pest-hole," of the earth, infamous for its fevers, and interesting only because of the variety of its malarial disorders and pestilences. Its sanitary conditions might be less wholly bad; but that they should be positively, and in comparison with other places, good, surpassed reasonable belief.

If now, however, I were asked what single thing seen impressed me most of all I saw during my stay in the Canal Zone, I should reply, not the Gatun Dam nor yet the Culebra Cut, but the afternoon and evening of March 18 spent at Camp Elliott, as it is called, an elevation about equidistant from both Atlantic and Pacific, and supposed to be not far from the spot where Francis Drake, three hundred and

thirty-eight years ago, caught from the branches of a lofty tree his first momentous glimpse of what men then called the South Sea. Camp Elliott, located on high ground in the midst of a tropical jungle, half a mile only from the banks of the Chagres, has for two consecutive years been the home of a detachment of U. S. marines under command of Major Smedley D. Butler. A large party of visitors had been invited there on this occasion to witness a drill, and be guests at an evening's entertainment. We went from Panama by train in the early afternoon, returning in the late evening. The force of marines at the camp numbered five hundred men, composing two battalions. As I have said, they had been stationed there two years; yet a finer, healthier-looking, more active and better-conditioned body of men — "huskier" is the word — I do not remember to have seen; and, of the whole number (487) then there, I was assured by the post physician not one was that day sick in hospital. Such a record would be remarkable anywhere; but half a mile away from the Chagres, it was, I submit, well calculated to excite a special wonder.

My occasions for surprise were, however, not confined to the visit at Camp Elliott; the next almost equally striking incident was of a nature peculiarly pleasing. The following evening another social engagement carried me out, this time to Culebra, the site of the much advertised "cut," or excavation. The local travel, especially the evening local travel, on the Panama railroad is heavy; surprisingly so, indeed. Trains of six coaches are crowded; and while many nationalities and all shades of color, from pure white to ebony, are represented, women and young children make up a larger proportion of the whole than is usual with us. Later in the evening we were to take the return train to Panama, a distance of perhaps a dozen miles. Coming on our way back to the Culebra station, at about nine o'clock, we found the platforms thronged, much as is apt to be the case after sundown at all southern way stations, — people were there, some to take the train, others accompanying visitors about to take it, while a good many seemed to be idlers brought together by mere curiosity or to enjoy the evening's coolness. Moving along towards the point where the head of the train I was to take would probably stop, I there came across a group of American girls, eight or ten in

number, and varying in age from perhaps ten to fifteen. Very nicely and neatly dressed in their thin white frocks, with heads uncovered, some of them, like ourselves, had come to take the train home, others to see their companions off. A more healthy, well-to-do and companionable group of children could not under similar conditions have been met at any station within twenty miles of Boston. Perfectly at home, and at ease sitting and standing, without a thought of malaria or any other danger, they were chatting and laughing under the glare of the station lights, about which not an insect was flitting; while the hum of the mosquito was noticeable from its absence. Not one was to be heard. The material, social and meteorological conditions would in every respect have compared favorably with those to which we here are accustomed during the midsummer season; the single noticeable difference was the more complete absence of insect life, whether merely annoying or aggressively noxious. And this on the slope of the death-dealing Chagres!

I freely confess I could not understand it; nor, after a fairly intelligent effort at enlightenment from the most authoritative and best informed sources, do I really understand it yet. I questioned Colonel Gorgas, the head of the Sanitary Department, of whom and whose evidence I shall presently have more to say. I met and talked with Mr. and Mrs. C. C. Mallet; he a man of over fifty, English born, from youth a resident on the Isthmus, and, since 1908, British Minister Resident at Panama; she, of Spanish descent, born in Panama.[1] So far as

[1] I had written Creole, but am given to understand that among the English-speaking people of Central America the designation Creole is, by general acceptance, now supposed to imply an infusion of African blood; that, vulgarly, it is taken to be somewhat synonymous with Mulatto. A grosser and more absurd misapprehension could hardly be imagined. It is next and elsewhere assumed that any person of European blood born in the West Indies is a Creole. This is little less incorrect than the African assumption. No one ever heard of a Scotch, or Dutch, or Irish Creole. On the contrary, as the *Century Dictionary* defines it, the word Creole signified originally one of West Indian or Central American birth descended from Spanish ancestors, "as distinguished from immigrants of European blood and from the aboriginal negroes and natives of mixed blood." Subsequently the significance was broadened to cover all West Indians of Latin descent. The Empress Josephine, for instance, was a French Creole. The freedom of the Creole's blood from any native or African admixture was a matter of pride. The mere suggestion of such an admixture would in old Creole days have been resented as an unpardonable insult. Under a correct acceptance of terms Mrs. Mallet would, therefore, be Creole *par excellence;* Madame Beauharnais was French Creole.

the yellow fever was concerned, Madam Mallet, an Obarrio and so to the manner born, was, it may be inferred, immune, having presumably gone through the dread ordeal vicariously, as it were, in the persons of forbears more or less remote. Indeed, a belief, I was assured, exists that no child born within Panama town limits need later fear the *vomito*. Mr. Mallet, less fortunate in this respect, had, by the narrowest of possible margins, survived an attack. They both had lived in Panama before the French attempt at canal construction, all through the times of that attempt, and since during the American régime. Their reminiscences were vivid; at times, ghastly and pathetic. Very curious on the subject, I asked Madam Mallet as to the normal conditions at that period of the year; for though I remembered well both the stifling heat and the insect life I had encountered five years previous on the White Nile at the same period of the year (March) and in exactly the same latitude (10° North), between the two environments there seemed nothing in common. The White Nile was a stagnant pest-hole swarming with insect life; the Chagres was to all appearance an agreeable winter health-resort. Even Pharaoh's old plague, the common house-fly, was noticeable only from his absence. Thus puzzled, I asked Madam Mallet as to the facts, and her explanation thereof. Was it a question of season? — and was this the off season? The reply I got was to the point, and given with Latin animation. Madam Mallet assured me that, had I found myself ten years before where I then was at the same season of the year, I would have been devoured by mosquitoes, while the flies would have been as ubiquitous as they were unbearable. To my further question of how she — born in Panama, and all her life a resident of the inmost quarter of the town of Panama itself — still in fact there domiciled — how she accounted for it, the response was quick and to the point, — a reply conveyed quite as much through the movements of the hands as by the mouth, — "I explain it in one word — Colonel Goethals!"

Though indisputably gratifying and to the last degree suggestive, this answer, besides being manifestly unjust to others, especially Colonel Gorgas, was, even to a layman like myself, not in all respects satisfactory. I was quite conscious that my informant was speaking somewhat metaphorically, and had no

idea that what she said would be taken in a literal way; much less be repeated, and in print. Moreover, even when accompanied by these limitations, the explanation left much to be accounted for. For instance, we were then sitting at table, but behind the wire screens always prescribed by the officials in charge of sanitation for every place of abode; the following day, however, I chanced to meet at the hotel Dr. Morton Prince of Boston, there in company with some ladies from New York, all members of a large excursion party come into Colon the day before. They had been "doing" the Canal, and were to pass the night at Panama. Dining together, at about nine o'clock we all went out on the broad verandah of the hotel, overlooking the Pacific. Not fancying the sense of enclosure within the screened part of the gallery, Dr. Prince suggested that we go outside, sitting and chatting in the open. We did so, a party of eight or ten, all new-comers and clad in the light thin garments customarily worn in the tropics. We sat there in the coolness of the early night for perhaps an hour, no screen or protection of any kind between us and the trees and shrubs before the hotel; a powerful electric light was flaring directly over our heads, and yet not an insect of any kind — fly, moth or gnat — was either visible or audible; the shard-borne beetle with his noisy hum was as noticeably absent as was the mosquito's sharp acrid note. All the same, when the next day I mentioned this performance to Colonel Gorgas, he shook his head with a disapproving look; he did not like that sort of thing — it was a reckless braving of danger; and, moreover, contrary to regulation. Indeed, I had myself to admit on better reflection that it was a somewhat ill-considered proceeding.

Again, and a more unaccountable experience than any I have yet described: — While at Ancon, the suburb of Panama in which are the United States government buildings, including the Tivoli Hotel, I drove out, as is the custom with all tourists, to visit the site and few remains of Old Panama, as it is called, — the original Spanish settlement on the South Sea side of Darien, the point from which Pizarro sailed forth, which Drake half a century later reconnoitred from both its land and water sides, and the stronghold which the buccaneer Morgan captured, sacked and practically destroyed in 1671. Once

a busy and, for those days, populous and wealthy place, of Panama Viejo — in its way, I fancy, somewhat of an historical myth — I shall perhaps presently have something to say; meanwhile in this immediate connection I will only remark that the site, fronting an exposed tidal roadstead, is a wholly uninhabited jungle, rising in the midst of which, a landmark from sea or shore, is one lofty and well-preserved cathedral tower of solid masonry compact. A mile or so away on the landward side the remains of an old cobblestone road, or causeway, lead across a stone bridge, disappearing in the tropical jungle on either side of the muddy stream spanned by a single arch of solid masonry. Facing the sea, or back from it, but hidden in the well-nigh impenetrable tropical growth, are yet other ruined foundations, walls and buttresses, and vaults in what once were cellars. These mark the sites of religious edifices or public buildings; while the ground adjacent is covered with shards or fragments of what once was rather solid masonry. As a seat of traffic, the locality was abandoned more than two centuries ago in favor of the site of present Panama. The reason for its abandonment is obvious. As a port, it was not only unprotected from gales, but its depth of water in no way met the requirements of even seventeenth-century maritime construction. So, its fate already sealed, the buccaneer Morgan, in 1671, dealt its death blow to the first Panama. From that blow it never rallied.

Having, after tourist fashion and quite uninformed, made a hasty preliminary visit to the spot, a day or two later at the quarters of Admiral H. H. Rousseau and Lieut. Col. D. DuBose Gaillard — both more or less archæologically inclined — my companion, Mr. Frank D. Millet, and myself were shown an ancient and contemporary ground-plan of the vanished town, and descriptions of it from Hakluyt's *Voyages* and Esquemelin's *Narrative* were brought to our notice. So, better advised and with greatly increased interest, we determined on a second and more carefully considered visit. Leaving the hotel at half past six on the morning of Tuesday, March 21, we did not get back until eleven, having passed some three hours in going over every accessible portion of the site. In other respects most interesting, the point to which I now want to call attention was, and is, to me most interesting of all. More-

over, it is still inexplicable. Here was a tropical sea-shore locality, six hundred miles only from the Equator, undrained and densely overgrown; the day, slightly overcast at times, was yet reasonably clear; the time was between 7 and 10 o'clock, A. M.; no noticeable wind was blowing; apparently it was an ordinary day for the locality, towards the close of the dry season; yet, during those three hours of constant physical activity, the heat, though considerable, was in no degree oppressive, nor can I recall having been annoyed by fly or gnat. I heard, though I did not see them, just two mosquitoes. Limits had to be allowed to the achievements of Colonel Goethals even; and it was not reasonable to maintain that he had extinguished the fly, the gnat and the mosquito not only in the Canal Zone, but throughout Panamanian limits. Quite unable satisfactorily to account for them, I merely state facts and report conditions as they came under my actual observation.[1]

Meanwhile, though American sanitation has not accomplished impossibilities, it has indisputably wrought wonders. Into its details I do not propose to enter. If not familiar now, they will soon become so; for the war on household disease disseminators — the fly, the mosquito, the flea, the bug and the rat — now systematically inaugurated in the Canal Zone, will at no remote day be taken up and vigorously carried on in all countries properly to be classed as civilized. In time, it will even extend to the New England tavern, boarding-house and railroad refreshment-room. The rules and directions for its conduct will then have been simplified, and be in the hands of every one; so I will not dwell upon them here and now in a paper designed for record only. Suffice it to say that, so far as the sanitation of the Canal Zone is concerned — my present thesis — it is a matter purely of drainage, screening, the free and systematic use of oils and disinfectants, and cutting and firing; the whole enforced by rigid and unremitting inspection

[1] While correcting the final proof sheets of this paper, I am informed by Mr. J. B. Bishop, in a letter dated Ancon, May 24, that, during the previous ten days, "we have had a mosquito pest covering the whole zone. . . . During my four years of residence here I have seen nothing comparable to it. I have seen more mosquitoes in the last week than I have seen during the previous four years." He adds, "they are not poison-bearing; though in other ways as annoying as any specimens of the species I have ever seen."

and policing. In the case of disease also, everlasting vigilance is the price of liberty. The very considerable results already reached are due to no great engineering feat — the making of a lake where once was a morass, or the laying out and construction of a modern *cloaca maxima;* — they have, on the contrary, been brought about as the result of patient, long-continued observation, supplemented by a system of rigidly policed sanitary regulation. Very matter-of-fact, commonplace even in detail, about those results there is nothing dramatic; little that strikes the eye. The appeal, based largely on the noticeable absence of filth and a study of the bills of mortality, is to the senses rather than to the imagination.

This element of the commonplace and obvious is, however, one we are slow to recognize as always affecting the problem. In facing it we have, also, continually to guard ourselves against preconceptions. Take, for example, the dreaded Chagres fever, so-called. I endeavored to obtain from Colonel Gorgas something in the nature of a diagnosis of it as a classified disease. Naturally, the result was not satisfactory; indeed, it was quite the reverse of satisfactory. He spoke of it as an acute malarial disorder, wholly distinct from yellow fever, but in more malignant cases frequently reported as such. A moment's reflection sufficed to show me how ill-considered my query was. It is still called a fever and classified as such; but while it unquestionably is accompanied with febrile action, it is nothing more nor less than a poisoning — a poisoning exactly like that from the bite of a moccasin or rattlesnake. As such only can it properly be classified. Its cause, dramatic in a way and terribly insidious, is not far to seek.

As a river the Chagres is unique; it constitutes a class by itself. A mountain stream, a hundred and twenty miles perhaps in length, when I saw it, — towards the close of the dry season, — it was flowing sluggishly along, a yellow rivulet, meandering through a tropical morass. But the rainfall, when it comes, is in that country something of which we in New England have no conception. For instance, I was assured by no less an authority than Mr. J. B. Bishop, the Secretary of the Isthmian Canal Commission, that there was a well-established record of close upon nine solid feet of rain at a point in

the Chagres water-shed, all within two successive calendar months, — or, to be more specific, a fall of one hundred and three measured inches in sixty-one days of the months of November and December, 1909. That under such conditions the Chagres has been known to rise twenty-five feet in a single day is no occasion for surprise. The conductor is simply choked. The natural result follows. The neighboring country becomes a morass; and, as the torrent rapidly recedes, the region which emerges from under it remains saturated and stagnant subject to tropical conditions, an ideal breeding-place for every noxious reptile or poisonous insect. Hence the so-called fever; for the bite of the Hindostan cobra was infinitely less to be dreaded than was the sting of the Chagres mosquito. Formerly supposed to be of atmospheric origin, the disorder was classified as a miasmatic fever peculiar to a locality; now, under control, it is practically extinct. But, as the question I put to Colonel Gorgas showed, the name and recollection abide.

It is the same with the yellow fever; though that, as every one at last knows, has been traced down to a single one of the very numerous species of the genus mosquito — the comparatively noiseless but deadly *stegomyia*. Men fear the cobra and avoid the rattlesnake, — the moccasin is looked upon as very deadly, and the copper-head has become a simile; but, so far as those of the human race were concerned, cobra and rattler, moccasin and copper-head, taken separately or massed together, were mere negligible dangers as compared with the *stegomyia* mosquito. The cobra only bites, and in biting kills his single victim, and that is the end; the *stegomyia*, on the contrary, not only kills that victim but injects into countless fresh victims the deadly virus drawn as food from former victims. The next thing inferred is obvious; and a theory is now confidently maintained that all other forms of tropical malaria, so called, are due to approximately identical causes. In no way contagious, and in only much less if in any degree of miasmatic origin, they are absolutely preventable; and this great result, if it in ripeness of time actually materializes, while elsewhere foreshadowed, has been brought to its demonstration in the Canal Zone of to-day. Its most dramatic and monumental achievement, the prevention, and the conse-

quent practical extinction of the yellow fever, belongs exclusively to the Medical Department of the United States Army. It was the outcome of our Spanish War (1901), thereby made memorable. Thus the Canal Zone is an object lesson, and the Canal itself a monument; for the last was, humanly speaking, made possible by a medical triumph, the like of which in importance to mankind has not been equalled since the discoveries of anæsthetics and antiseptics.

And this it is which caused me at the outset to say that the great and most startling impression left on me by what I saw on my visit to the Zone was not the magnified ditch itself, nor the engineering feats accomplished; nor yet the construction work in progress. These are remarkable; but solely, so far as I am competent to judge, because of their magnitude and concentratedness. I have frequently seen steam shovels at work; though never so many, nor quite so busily, as now in the Culebra Cut. So I have watched pneumatic drills as they bored into the rock, and heard the detonation of the dynamite; though at Panama more drills would be working at once and in closer proximity than I ever saw before, and the blasts when the day's work was done sounded like a discharge of artillery in battle. For centuries all civilized nations have been building canals and dams, though the Gatun Dam breaks the record for bigness; the locks, too, at Panama are larger and longer, and more elaborate and imposing than any yet designed. All this is true; and yet it failed deeply to impress me. After all, it was a mere question of bigness — the something more or something less; and, as a result of organized energy and systematic co-operation of forces for rapid daily accomplishment, I still think the construction of the Pacific railroads fifty years ago at the rate of half a dozen miles a day, every material, even water, having to be hauled to the moving camp which constituted the advancing front, — this was by far a more dramatic display than anything now to be seen on the Isthmus. Again, the Gatun Dam is a great conception; but as such the recent tunnelling of the Hudson and the subterranean honeycombing of Manhattan Island, combined with the bridging of the East River, impress me more. Finally, the locks at the entrance and outlet of the proposed Chagres Lake are imposing structures; but to my mind the terminal stations built, or now in process

of building, in the heart of New York city, are more imposing. As I have said, all this is a mere question of degree, and time out of mind the world has been building roads and water-ways; moreover, behind this particular water-way is the Treasury of the United States. But when it comes to the sanitation which made all that is now going on at Panama humanly and humanely possible, — vanquishing pestilence and, while harnessing the Chagres, also making it innocuous to those both working and dwelling on its banks, — this is new; and the like of it the world had not before seen. Face to face with it, reading of it in the movements of the men and the faces of the children, I frankly admit what I saw smote the imagination. Seeing the American at his very best, one felt — at least, I felt, as never before — a pardonable pride of race.

Moreover, in the Panama Canal Zone of to-day you do see the American at his best — individually and collectively. The region, and those living and laboring there, impress one coming freshly from without as singularly sober, orderly, well conducted, and policed. There is a noticeable absence of that roughness, drunkenness and immorality, — that carelessness of life and defiance of its decencies traditionally associated with our American improvised communities pushing to rapid completion some great enterprise involving lavish expenditure, both inevitable and incessant. In the building of the Union Pacific, the town of Julesburg boasted of its wickedness Hell was at Julesburg always equalled, and not unusually or infrequently outdone. Panama once, and that not so very long ago, bade fair to perpetuate the Julesburg tradition in this particular.[1] There is to-day no Julesburg in the Canal Zone. The impression in this respect made on the newly arriving stranger is curious; but, though instinctive, quite unmistakable. It is in the air; you are at once conscious of its presence. It was silently evidenced by the issuance during the month I was

[1] "In 1882, actual construction was commenced [under the French], and several thousand laborers were put to work along the line. Then graft, extravagance, immorality and disease began to pervade the scene. Froude, describing conditions after a visit to the seat of French operations, declared: 'In all the world there is not, perhaps, now concentrated in any single spot so much swindling and villainy, so much foul disease, such a hideous dungheap of moral and physical abomination, as in the scene of this far-famed undertaking of the nineteenth century." Forbes-Lindsay, *Panama and the Canal To-day*, 69.

there (March) of over 20,000 postal money orders, representing a little short of half a million dollars of savings, $370,000 of which was payable in the United States. Along the banks of the Chagres the workman to-day lives cheaper, enjoys apparently better health, and saves more than he can in Massachusetts. And for all this — order, thrift, temperance, health — credit is due to someone.

Until I landed at Colon, I had never met either Colonel Goethals or Colonel Gorgas; nor, indeed, with a single exception, any one of the small but very able body of officers and civil officials in charge of the Canal work. Mr. Bishop I had known long, and his connection with the *Canal Record* afforded easy access to a vast store of information not otherwise accessible, and at once interesting and reliable. His was a veritable *vox clamantis in tropico*. But, subsequently, I found reason to regard all these gentlemen with ever-increasing respect; and on what I have come to consider the best of grounds. In the course of a fairly long and somewhat varied life it has been my fortune to be brought in contact with many men — men prominent politically, and in administrative and professional work; generals in command of great armies in active warfare; executives in the direction of large enterprises; financiers; notables of the market-place. The one thing in these contacts which has always insensibly but most impressed me has been the presence or absence in individuals of that element known as Character. Whether there or not there, the sense of its being there, or not being there, is instinctive. If there, in the man at the head, the thing permeates. You are conscious of it in every part; and I think Madam Mallet was right. Her female instinct guided her straight to the central fact. It is so in Panama. The individuality and character of Colonel Goethals to-day permeate, and permeate visibly, the entire Zone; — unconsciously on his part, unconsciously on the part of others, his influence is pervasive.[1] Nor, in expressing this opinion of Colonel Goethals, do I for a moment wish to depreciate, much less to ignore, the zeal and fidelity shown by the heads of department in the present Canal organization. Gorgas, Hodges, Gaillard, Devol, Rousseau, Bishop, one and all, so far as my

[1] On this point, see the paper entitled "The Panama Canal," in the report of the *Am. Inst. of Mining Engineers*, for November, 1910, pp. 83, 84.

brief stay afforded me opportunities of reaching an opinion, were stamped by the same die. Of some, of course, I saw but little; others I did not meet at all: but indications of the influence of Goethals were, I thought, perceptible everywhere. Quiet, reserved, unassuming, known to every one engaged on the work but noticed, as he quietly moved around, by no one, he gave the impression of conscious because innate but unobtrusive force. He was a natural diplomat as well as an educated engineer; and, whether dealing with labor conditions or Latin-American officials and races, the Panama situation of to-day stands in quite as much need of a skilful diplomat as of a trained engineer.

Especially was I impressed, moreover, and most favorably so, by a certain modesty of attitude and expression observed by all I talked with towards those who had preceded them in the enterprise, especially the French. Far from any tendency to a depreciatory tone, open or covert, or to an attitude of self-glorification, all I saw and heard seemed almost to seek occasion to express their sense of the advantage they had derived from the work done and the experience gained by those who had initiated the enterprise, but failed to carry it to completion. Indeed, their testimony went at times further than was justified by the facts, as I saw them. Not only did they warmly commend the French engineering, but they admitted that much of the French material, and some of the French machinery, was more durable and, considering its date, better than what now came to them from the United States. The French mechanical appliances were also pronounced most valuable. Of De Lesseps they spoke with uniform respect; even going so far as to say that the French hospital organization and efforts at sanitation had contributed very materially to the remarkable results since attained.

Listening sympathetically, and appreciating to the fullest extent the fineness of feeling which inspired these utterances, I yet found myself unable in some respects to accept them at face value. There was, on the contrary, as it seemed to me, evidence everywhere that the French had involved themselves in the enterprise, and, when in it, gone about their work in a way most ill-considered and wasteful. With preconceived ideas altogether wrong, they provoked set-backs and

invited ultimate failure. The material they bought and used may have been of the best quality; their engineering was probably, as our engineers admit, of the most approved sort; some of their machinery and more or fewer of their appliances may still be in use; none the less the fact stands forth plain even to the layman that, taken altogether, De Lesseps was peculiarly ill-fitted to carry to a successful close what he so confidently undertook. From the beginning to the end he was obsessed. He had, so to speak, Suez Canal on the brain. Yet it may broadly be asserted that there was not a single lesson derived from the Suez experience applicable to Panama conditions. This sweeping generalization, moreover, held true at every point, — from the sea-level structure to rainfall, from the sandy soil on the Red Sea to the rocky, mountainous range above the Chagres River. In their essential features — political, geological, racial, industrial or sanitary — the two problems were unlike; and every lesson of experience drawn from the one was well calculated to lead to disaster if applied to the other. Yet De Lesseps invariably applied them all. As respects labor and sanitation, for instance, he apparently looked at the problem from a French point of view, — a military standpoint, and one quite the reverse of humanitarian. The work would cost lives as well as money; unquestionably it would: but, as Marshal Pélissier observed in the Crimea, "One cannot make omelettes without breaking eggs." The Suez Canal had been carried to completion by Egyptian forced labor, regardless of human sacrifice; just as it is still asserted, though with most absurd exaggeration, that every tie on the Panama railroad represented the life of a man employed in its construction. It would probably approach more closely to historic truth to say that every hundred ties was in this case the unit of representation; even that, however, would mount up to a very respectable holocaust. But, after all, the greatest possible death rate involved in the digging of a sea-level canal would be small in comparison with that always and necessarily incurred in the conduct of a war of even the second or third class. In view of the result to be secured, the loss of life was from the De Lesseps and Suez point of view a somewhat sentimental consideration, and one altogether negligible

Passing over other factors in the situation, — financial,

material, industrial, in regard to all of which the methods of the French seem to have been open to obvious criticism, — passing over all these, it was their sanitary and hospital arrangements which interested me most. Colonel Gorgas spoke of them with apparent respect; the French work had, he said, been carried on before the mosquito theory and observations had led to their results, and we had profited largely by the French experience. This was doubtless true; but, none the less, the stories still told of that experience, while extremely pathetic, were undeniably grewsome, — in fact, I may say, ghastly. It appears to have been nothing less than a travesty on nursing leading to a dance of death. At Ancon, just outside of Panama, they still point out a building in the American hospital grounds in which it is asserted five thousand patients died. French clinical attendance, as it is called, has never been good; it is not good to-day even in Paris, and much less so in the Provinces. In no respect is it up to our American standards. It is suggestive of the Sairey Gamp and Betsey Prigg period and methods. In the hands of so-called Sisters of Charity, the rules by them observed at Ancon were, to say the least, peculiar; and over the gates of that Ancon hospital, I was assured by those whose testimony might not be disputed, could properly have been inscribed Dante's familiar *Lasciate ogni speranza voi ch' entrate.* Friends or acquaintances of those taken ill dreaded to obtain a hospital permit; it was looked upon as a graveyard billet.

As then conducted, a dollar a day was paid the Sisters by the French Company for each patient admitted to the hospital. The practice with the Sisterhood was to attend the sick during certain prescribed hours, leaving the wards at night. In the morning duty was resumed; the corpses of those who had died during the night were removed, and the places thus made vacant were filled by others newly admitted. During the night absences of the Sisters, the only care the patients received was from convalescents, not yet discharged. At that time it was the usual practice for those journeying to and fro across the Isthmus to carry with them more or less gold; and, in the case of such as died, this gold was a perquisite of the convalescent attendants. They divided it among themselves. It was the dead man's parting "tip."

Nor was this all; ignorance then came with its contribution, disguised in most deadly fashion under the mask of neatness and beauty. The following is from a chapter in a recently published book on the Canal:

In the state of ignorance that prevailed as to the sources of yellow and malaria fever, the hospitals soon became known as foci of the former disease, as we can easily understand now, when we know that their verandahs and wards were filled with large plants in pots that stood in earthen basins filled with water. The French cultivated flowers extensively about their dwellings and buildings, and each flower pot afforded an ideal breeding-place for mosquitoes, that conveyed the yellow fever and malaria germs.[1]

In other words, acting in perfect good faith and according to their lights, the French medical staff unwittingly established a well-designed and arranged breeding-school of the deadly *stegomyia*, they being systematically propagated, and regularly supplied with non-immune subjects on which to feed. The only cause for present surprise is that under such conditions the yellow fever in that climate and locality did not become epidemic as well as endemic, and that any even temporary sojourner on the Isthmus should have escaped it. To me, a confessed layman, it seems as if the natural laws regulating both the propagation and dissemination of the mosquito are not yet fully understood; but, in the still recent days of the De Lesseps dispensation, the death-dealing insect was looked upon as a torment but a harmless one, and the phantom of miasma was at all times invoked as a final, if not sufficient, explanation of the injuries he inflicted.

Almost a century before, the French under the lead of a greater than De Lesseps had ventured on another great West Indian enterprise. In 1801 Napoleon, he also fresh from Egypt and Suez, had sent to Hayti an army some twenty-five thousand strong, commanded by his brother-in-law, General Leclerc, the husband of his sister Pauline. Of that large force it is said not one man in three ever saw France again. For, more to be feared than the liberated African resisting a return to bondage, the then wholly unsuspected *stegomyia* put in his deadly work.[2] Leclerc himself fell a victim, and of the twenty-

[1] Forbes-Lindsay, *Panama and the Canal To-day*, 69–70.
[2] The Panama Canal, *Inst. of Mining Engineers*, November, 1910, 50.

five thousand sent out to Santo Domingo under his command in 1801, only four thousand were fit for duty in 1802. Napoleon never liked to waste time or thought upon his failures. They were, in so far as possible, by him treated strictly as alms for oblivion. The investigator now, consequently, searches in vain for statistical reports of the experiences of the French in Santo Domingo, and the number of deaths to be there attributed to yellow fever. In Metral's *Histoire de L'Expédition des Français, à Saint Domingue*, the whole of the third book (pp. 105–164) is, for instance, devoted to a somewhat lurid account of the ravages of the disease, the narrative concluding with the death of Leclerc. The terror inspired by the fever, and the havoc it worked, are there dwelt upon with the habitual French excesses of rhetoric; but from it no exact figures are forthcoming. It is, however, not unsafe to draw the conclusion that, taking into proportional account the size of the two expeditions — 40,000 in the first case, including the naval contingent, and 500,000 in the last — the mosquitoes of Hayti were more destructive to the Napoleonic venture of 1801 in West Indian waters than the frosts of Russia were to the memorable and colossal tragedy of 1812. There is no apparent reason why the experience in Hayti in 1801 should not have been repeated at Darien in 1901. No less subject to the infection, the French under the guidance of De Lesseps were as much in the dark as to either the origin or the prevention of the scourge as were those a century before under the command of Leclerc.

But I propose in this connection to confine myself strictly to a statement of what I saw, and to inferences naturally to be drawn from it by any observing layman not wholly devoid of experience gained elsewhere. Such an experience, as I have already said, had been mine in Africa five years ago. I was there also at the same time of year, in March, and at the same latitude, 10° North. The English had then been for twenty years in control in Egypt, and for several years in control in Uganda. They had established their hospitals; the work of sanitation, as they understood it, was steadily going on. Yet the house-fly was accepted as an unescapable nuisance. He swarmed, ubiquitous. No apparent prevention was thought of. A strong north wind only brought relief from him. With

those I accompanied, I was recently at the Hotel Tivoli, Panama, for ten consecutive days. During that time we took our meals in a public dining-room capable of accommodating three hundred guests at a sitting. The attendants were all African; just such as we are accustomed to find in Washington, or at the hotels of every southern winter resort. I kept a careful reckoning, and during those ten days I saw on the dining-room table around which our party sat, exactly three house-flies; and yet, at the same time, I found them abundantly in evidence, though not at all to the Egyptian degree, in the fruit stalls in the public market-place not a mile away. It was certainly not the off season for flies there.

In one of the extremely interesting occasional papers of Colonel Gorgas on the canal, he refers to the "heroism" exhibited by the French employees in coming to Panama. Every Frenchman, he says, who came to Panama knew that he was going to have yellow fever, and he also knew that every second man would die with it. "To face such chances took no little courage." Elsewhere he gives some examples — cases in point. "The family of one of the chief engineers consisted of five; four died of yellow fever. . . . The family of the superintendent of the railroad consisted of five; three of these died of yellow fever. A party of seventeen engineers came on one steamer; sixteen of these died of yellow fever. Twenty-five Sisters of Charity came to Ancon Hospital at one time; twenty of these died of yellow fever. . . . I think it quite reasonable to say that one-third of the Frenchmen who came to the Isthmus during the French construction died of this disease." The testimony of both Mr. and Mrs. Mallet, fortified by piteous cases of bereavement within their personal experiences, was to precisely the same effect. Colonel Gorgas says that for these people, under such conditions, to come to the Isthmus "took no little courage." To one at all acquainted with French industrial conditions the going to Panama of these victims in advance would probably be attributed to another motive, — the *res angusta domi*. In France the avenues to bread-earning occupations or employment are choked. To earn a living, especially with the slightly superannuated, almost any risk will be incurred. The Canal afforded at least a chance; the rest followed. Thus the Ancon graveyard is

suggestive of many domestic tragedies, not the less pathetic because not otherwise of record.

Very different conditions in this respect now prevail in the Zone. Of those there in steady employment, though in subordinate capacities, more than the ordinary proportion are somewhat superannuated, and others have manifestly sought refuge from a too rigorous climatic condition — bronchial exiles, or those threatened by tuberculosis. For such, the region of the Chagres is now a health resort; but, computed on the basis of the French mortality, Colonel Gorgas estimates that the American loss by fever during the first five years of our work in the Zone should have been over eight thousand; it actually was just nineteen. And to-day the American skilled workman goes to the Isthmus with wife and children for the first time, or having been there returns to his work and his family, giving no more thought to the fever, whether yellow or Chagres, than we here in Massachusetts give to the small-pox, — not nearly so much as we give to bronchial affections or our annual epidemic of measles. Assuredly the world has seen nothing like it before; and, standing face to face with it, is not the American justified in a certain access of race-pride?

This is not the place nor am I the person to enter into the story of the gradual development of the mosquito theory, and its full demonstration. First advanced as a plausible suggestion, as I understand it, in 1881, not until 1901 was it at last accepted as proven. The question now is as to its further development, and the new fields into which it will lead the investigator and sanitarian.

And yet there was one aspect of the subject which in my talk with Colonel Gorgas moved my sense of humor, though in a way slightly cynical. It moved it also to such an extent that I had difficulty in preserving a proper degree of acquiescent respect for his presentation of the matter. Colonel Gorgas was obviously greatly concerned over the cost of a more perfect sanitation and the necessity of unremitting vigilance with endless precautions, all of which involved an outlay at best never less, and probably always tending to increase. To this I simply listened; for I did not care to enter into a discussion of that other aspect of the case which at once suggested itself. During my stay on the Isthmus I had heard more or less discussion of

the armament proposition. Should the Canal be fortified by us, and the Zone properly garrisoned? With the Great Lakes and Suez precedents in mind, observing also the obvious world tendency to neutralization, such a policy on our part seemed to me personally a distinctly backward step. By taking it, America would be throwing away a great opportunity to stimulate by example a movement of world-advance at once obvious and impending. The drift of feeling, and consequently of opinion, was, however, even on the Isthmus, plainly the other way. Patriotism is invoked, and the sense of proprietorship makes itself felt. We built it; it will be ours; and we will not deserve to own it, or to continue to enjoy it, if we are not prepared to hold and defend it, if need be against a world in arms! Are we not the greatest and richest nation on earth? — and so forth and so on, *ad infinitum* and *ad nauseam*. A most familiar line of appeal and argument, it is also one against which it is useless to contend, save by a silent recourse to time.[1] That Colonel Goethals strongly sympathized in it I was sure; for not only is he a professional soldier, but the evening before I listened to the plaint of Colonel Gorgas I heard Colonel Goethals, at the Hotel Tivoli, address the assembled representatives of the Society of American Engineers, and the one passage which had called forth the warmest and the most immediate expression of approval was that in which he lent his great authority to the armament proposal. So far as I could judge, sanitation

[1] "With her great navy and immense standing army Japan could attack our Pacific coast to-day and we should be helpless to resist her. . . . It may be hard for the average American to appreciate the military weakness of his country at the present time, especially on the Pacific coast, and to understand in what an appalling situation the United States would be should the Panama Canal, being unfortified, suddenly be seized by Japan, a nation which has twice within the last fifteen years begun war without a declaration of war and by treacherous attacks. . . . It is difficult to speak calmly of the thick-headed, thin-blooded theory that would, in the face of these facts, persuade us to leave our coasts unprotected by using our navy to guard an unfortified canal. . . . With the great armed powers approaching a struggle for supremacy in Asia, and with a part of Asia already in arms and thirsting for conquest, it would seem as though none but a fool or a traitor could fail to see that to refuse to fortify the Panama Canal is to invite war and to make our destruction easy."

The foregoing extracts from a paper entitled "The Madness of an Unfortified Canal," by Mr. James Creelman, in the issue of a popular periodical (*The Cosmopolitan*) for the current month (May, 1911), may be not without historical interest. In a period of future development, probably not now remote, they will at least serve to illustrate the temper and discretion with which the discussion referred to in the text is now approached.

and engineering were, in the thoughts of those present, considerations of quite secondary importance. I was also under the impression that Colonel Gorgas was similarly minded; I have uniformly found that all army circles instinctively so incline. I, therefore, did not care to provoke a useless discussion. None the less a comparison did not fail to suggest itself. Colonel Gorgas was gravely considering the unavoidable necessity of a continuing sanitation with the consequent expense thereby entailed. The price came high. Could those who had to provide the amount be counted on always to respond? The problem is serious; the outcome questionable. Fortification was a necessity; sanitation, a luxury. So be it! Yet even when looked at in this way, and conceding each proposition, there was, it seemed to me, something to be said in a comparative way in behalf of sanitation. In the first place it was an incident, but still a necessary one, to any really successful system of armament. That I had seen emphasized at Camp Elliott. The health of the garrison, and consequently the efficiency of the armaments, were involved. Sanitation was not therefore a matter of pure luxury. But even allowing that it was; as a luxury, is it not, comparatively speaking, one which may justifiably be indulged in? It is admitted — or, if not admitted, probable in the light of all experience — that a reasonable armament for the Zone, with a force sufficient properly to garrison the same, will entail an average annual expenditure of $15,000,000; on the other hand, the most perfect sanitation could be provided for $750,000, or five per cent of that amount. Was an expenditure of five dollars for luxury unreasonable on the part of a man, or a nation, which is spending one hundred dollars for necessities? The comparison is suggestive; but, as it presented itself to me in my interview with Colonel Gorgas, I could not but recall Prince Hal's wondering exclamation on a familiar occasion, — "Oh, monstrous! but one half-penny-worth of bread, to this intolerable deal of sack!"

One thing, and that the essential thing, is clear; the cost of sanitation is not prohibitive. On the contrary, as compared with that of armament, it is trivial. In these days, here and abroad, both men and journals liken, as continually as wearisomely, the war-budget to an insurance premium paid to avert actual war, — the way to avoid war, it is claimed,

is to be prepared for it. Without wishing to appear learned, the insurance argument may, I believe, be traced back to classic times, and the *Qui desiderat pacem, præparet bellum.* More recently even Napoleon insisted, and perhaps himself believed, that his everlasting preparation and consequent perpetual wars were but preliminary to a solid and enduring peace. But, conceding the force of the argument, does not the insurance-premium figure of speech apply quite as forcibly to pestilence as to war? For instance, while preparing this paper I notice that in a recent official report Dr. L. O. Howard, the head of our Bureau of Entomology, estimates that malaria alone costs the United States one hundred millions annually, and the insect diseases generally twice that sum. It will probably be conceded that, except in connection with the war-budget, such amounts are worth saving. In the present case, moreover, the insurance premium against pestilence, besides immunity under existing conditions, further implies the opening of vast regions to development by healthy generations of human beings. Looked at from this point of view, it is at least suggestive that to-day the entire cost of a complete sanitation of our Canal Zone, — heretofore the most pestilential region on earth, and, in that respect, incomparably worse than the proverbial Roman Campagna, — to completely sanitize this region and convert it into a practical winter health-resort may involve a yearly expenditure equal to one half only of the cost of maintenance of a single battle-ship, and, possibly, a sixth part of one per cent of the regular annual war-budget of the United States alone, if we include in that budget the cost entailed on us by wars the last and least of which occurred ten years ago.

Moreover, sanitation is, it must be remembered, as yet but in its infancy. In its present stage of development it is little more than a crude, somewhat clumsy demonstration; though as such, complete. Every method and every appliance are yet to be perfected. To illustrate by example: — sanitation is at this time where steam, as a source of power, was eighty years ago,— where electricity and anæsthetics were in the early memory of those not yet old. Looked at in this way, when some measurement of the possibilities of the future is attempted, the imagination, as I have already said, staggers; at least, when at Panama, mine did.

But, a layman at best, I feel I am now venturing on somewhat dangerous ground, — the domain of prophecy. For, on the other side, tradition holds; nor, it must at once be conceded, is the case yet fully proved, and time alone — sixty years at shortest — can effect a complete demonstration. It is argued, and plausibly argued, that, so far as human life in the tropics is concerned, and continuance of energy there through successive generations as well as its extension to both sexes and all ages, the problem is to-day much where it was heretofore. It is merely proven that the adult male can, by following a prescribed mode of life and observing strict precautionary rules, live, and do a man's work, where he could not live safely or work effectively before. Existence in a high, steady and monotonous temperature, without impairment of vitality, is still, to say the least, questionable as a possibility. Men may perhaps stand the test; can women and children, much more successive generations of women and children? In other words, was insect poison from time immemorial the root of all tropical evils so far as the human race was concerned, and to what extent do miasmas, temperature and climatic conditions generally still remain to be reckoned with? Moreover, does the presence of the mosquito, that cobra of the air — and here the thought suggested becomes even more startling — explain such enigmas as Greek deterioration and the decline and fall of Rome's empire? Was it an imported, and then domesticated insect, which after all avenged a conquered world? But, then again, why not? The tsetse-fly is to-day depopulating eastern Africa.

Suggesting the problem, I withdraw from its discussion. Confessedly a layman, I make no pretence at the prophet's rôle. So, stating the next and most startling proposition of all on the authority of Colonel Gorgas, I shall there leave it. In the reports put by him in my hands while at Ancon I find him on record to the following effect:

> But I do not believe that posterity will consider the commercial and physical success of the Canal the greatest good it has conferred upon mankind. I hope that as time passes our descendants will see that the greatest good the construction of the Canal has brought was the opportunity it gave for demonstrating that the white man could live and work in the tropics, and maintain his health at as

high a point as he can, doing the same work, in the temperate zone. That this has been demonstrated none can justly gainsay. . . .

I therefore expect in the course of years to see a very large and wealthy population grow up at the Isthmus in the neighborhood of the Canal. In other words, I expect this Panama Canal to turn out to be one of the greatest commercial successes that man ever brought about. . . .

The figures (here submitted) prove that in the case of the unacclimated foreigner, women and children, as well as men, health conditions have been so changed at Panama that one can live about as well here as in the healthy parts of the United States. That in the case of the native and negro, who make up the bulk of the total population, his sanitary surroundings have been so changed that he now enjoys at Panama about the same degree of health as the ordinary inhabitant of the United States. If this can be accomplished at Panama, the same may be accomplished anywhere else in the tropics. . . .

We therefore believe sanitary work on the Isthmus will demonstrate to the world that the white man can live and work in any part of the tropics and maintain good health, and that the settling of the tropics by the Caucasian will date from the completion of the Panama Canal.

It will be noticed that in these extracts Colonel Gorgas is speaking not of acute and malignant diseases, such as the yellow or the Chagres fevers, but of the incapacity caused by malaria, so-called, generally; a manifestation not at all confined to the tropics, but, in this country, familiar to those dwelling in the neighborhood of Boston, as well as of Rome, of Philadelphia or of New York. This "incapacity" Colonel Gorgas asserts is an indication of an underlying evil to which must be attributed more fatalities than are due "to all other diseases combined." "Yellow fever," he says, "has a great effect on the death rate of a non-immune population, but it is not a noticeable cause of debility. On the other hand, malaria is a disease which may affect the individual for years; and, in a locality like Panama, is responsible for a widespread condition of debility throughout the population."

The yellow fever Colonel Gorgas dismisses almost with words of contempt, relegating it to an historic past:

It seems to me that yellow fever will entirely disappear within this generation, and that the next generation will look on yellow

fever as an extinct disease having only an historic interest. They will look on the yellow fever parasites as we do on the three-toed horse — as an animal that existed in the past, without any possibility of reappearing on the earth at any future time.

Finally Colonel Gorgas closes with this inspiriting trumpet-note, at once a challenge and a prophecy; in it he fairly throws down the gauntlet:

> I dare to predict that after the lapse of a period, let us say, equal to that which now separates the year 1909 from the Norman conquest of England, localities in the tropics will be the centers of as powerful and as cultured a white civilization as any that will then exist in temperate zones.

This paper has already extended far beyond the limits originally proposed for it; and, purposely, I have in it said nothing of many of the subjects most discussed in connection with the Canal, — for example, the much mooted question of a sea-level or a lock construction. On this point, one of opinion purely, I see no reason why I should commit myself, or waste time and spoil paper over it. I have my own opinion on it, and a decided one; visiting the work, it could not well be otherwise. But, not being an expert on canal construction and at best a mere casual visitor of the Zone, that opinion could, if expressed, carry no weight, and would be undeserving of consideration. But there is another aspect of the subject more appropriate to this place, and to me of greater interest; and I cannot close this paper without reverting to the purely historical side of my experience, already more than alluded to. I refer, of course, to Old Panama, so called to distinguish it from the present city of that name, — the Panama of Pizarro, of Drake, and of Morgan. I have said that, greatly interested in it, its location and remains, in company with my artist friend, F. D. Millet, I visited the site of the original Panama twice, and made of it as complete an examination as was practicable under tropical conditions and in so brief a time. I have also said that, as a result of an examination, the place, while vastly interesting and historically suggestive, impressed both my companion and myself as being somewhat of a myth. There hangs about it an atmosphere of exaggeration curiously suggestive of Herodotus and early Greece. For myself,

I freely confess that, having visited both localities, I no more believe in the tradition of Old Panama, its size, its population, its commerce and its wealth, than I believe in the accepted traditions of the battle of Marathon. In each case I am persuaded it is in large part an historical fake. As respects Marathon I am, in the *Proceedings* of this Society,[1] already on record; as respects Old Panama, I propose now to put myself on record. Turning back to the fountain head, Hakluyt was, I find, to Old Panama much what Herodotus was to Marathon. What he records, the modern investigator implicitly accepts and then proceeds to elaborate. For instance, in the recent work of Mr. Forbes-Lindsay, from which I have already quoted, is the following somewhat highly wrought description:

> The ruins of Panama Viejo are overgrown with dense vegetation and a considerable portion of them has not been seen by the eye of man in two hundred years. Enough is, however, accessible to make the place unusually interesting, and to attest to the substantial manner in which the Spaniards of old erected their buildings. The tower of the Cathedral of St. Anastasius rises above the tangle of tropical jungle and affords a prominent landmark. In the days of Panama's prosperity and pride, this was the focal point of the city, for the Church was more powerful than the temporal authority. A fine old stone bridge, in a good state of preservation, is a picturesque reminder of the period when the "Gate to the Universe" stood on this spot. There are remains of fortifications and dungeons; and the famous "paved way," which was, in reality, no more than a road of cobble-stones, may be seen where the forest is not too dense to penetrate.

So far all is not unfairly set down and in reasonable accord with ascertainable facts; but the imagination next assumes control:

> In its palmy days Old Panama was the seat of wealth and splendor such as could be found nowhere else in the world than the capitals of the Orient. At the court of the Governor gathered noblemen and ladies of gentle birth. There were upwards of seven thousand houses in the place, many of them being spacious and splendidly furnished mansions. The monasteries, convents and other ecclesiastical edifices were numerous, and contained vast amounts of treasure in their vaults. There were fine public buildings devoted

[1] 2 *Proceedings*, XVII. 252.

to various purposes, among them pretentious stables in which were housed the "King's horses."

But, as matter of fact, a remark might here not improperly be interjected to the effect that the horses in question were in reality mules, and the stables — Latin-American shacks!

To much the same effect Mr. Hubert Howe Bancroft, or his *pro hac vice* ready writer, grows poetical as he lovingly dilates on the seventeenth century metropolis and trade-centre:

> Two or three piers of a shattered bridge, a fragment of wall, a single tower, and a few remnants of public buildings, half buried under a dense growth of creepers, still mark the spot where, in 1671, stood a city with fine streets and beautiful edifices, among which were stately churches richly adorned with altar-pieces and rare paintings, with golden censers and goblets, and tall candelabra of native silver. There were the abodes of the merchant princes of the New World, some of them the descendants of men who had fought under Cortés when he added the empire of the Montezumas to the realm of the Spanish crown. There were vast storehouses stored with flour, wine, oil, spices, and the merchandize of Spain; there were villas of cedar surrounded with beautiful gardens, where fair women enjoyed the cool evening breeze as they gazed seaward on the untroubled waters of the Pacific.[1] . . .
>
> There the raw adventurer who at the opening of his career pressed forward with eager expectation into a dark uncertain future met the returned fortune-seeker elated with success or broken-spirited through failure. Into the lap of this great central city poured untold wealth. Her merchants were princes; her warerooms were filled with rich merchandize of every kind and from every quarter of the globe. There were to be seen stacks of yellow and white ingots from the mines of Peru, the cochineal and dye-woods of Mexico, the richest wines of Spain and Portugal, the silks, velvets and laces of France and Italy.[2]

G. W. Thornbury[3] is equally imaginative, but a trifle more specific:

> The buildings were all stately, and the streets broad and well-arranged. There were within the walls eight monasteries, a cathedral, and an hospital, attended by the religious. The churches and monasteries were richly adorned with paintings, and in the subse-

[1] *History of Central America*, II. 502. [2] *Ib.* 249.
[3] *The Monarchs of the Main*, II. 158.

quent fire may have perished some of the masterpieces of Titian, Murillo, or Velasquez. The gold plate and fittings of these buildings the priests had concealed. The number of rich houses was computed at 2000, and the smaller shops, etc., at 5000 additional. The grandest buildings in the town were the Genoese warehouses connected with the slave trade; there were also long rows of stables, where the horses and mules were kept that were used to convey the royal plate from the South to the North Pacific Ocean. Before the city, like offerings spread before a throne, lay rich plantations and pleasant gardens.

Of course, the writer meant from the South Pacific to the North Atlantic; but that is a mere detail. And of such stuff is what passes for history made up! Padding, pure and simple!

Now for the facts, as inferred from observations made in person and on the spot.

The report of Baptista Antonio, made in 1587, to Philip II, King of Spain, is the base on which these historical figments rest. Antonio's report is in Hakluyt's principal narrative; and, in connection with this paper, I reprint such portions thereof as relate immediately to Panama. Matter of fact and to the point, they are also quaint and refreshing. Antonio describes the geographical situation exactly as it exists to-day; and the ruins of the structures he refers to can even now be seen, or traced, in the jungle. In view of the exceptional interest which at just this juncture attaches to the place, the extracts have a distinct historical interest as well as value. Well worth reproduction, therefore, it is nevertheless difficult to make them in all respects conform to facts and appearances.

In the first place, the topography of the site and surroundings is as Antonio described it four centuries ago; but the foundations and ruins still remaining of the structures — fortifications, ways, bridges and edifices — are at variance with the statement that the town, as such, was ever of considerable size. Limited to an area of at most two hundred and fifty to three hundred acres, the ruins now remaining and the scattered fragments of tile show conclusively that Panama Viejo never could have contained within its limits either the buildings and dwellings, or the avenues, streets and ways described. Both the public edifices and the private houses were limited in size — of modest dimensions, as we would phrase it — and, apparently,

packed closely together. In place of the fifty thousand sometimes credited to them, they never, on any reasonable estimate, could have sufficed to accommodate a population in excess of seven thousand. Ten thousand would be a maximum. The foundations of "the royal houses builded upon a rock" are still there; so also those of the "audience or chancerie," as likewise the prison; all "adjoining together one by another along upon the rocks." But those foundations afford proof positive of the dimensions of the superstructures. By their proximity to each other, also, they show that there never could have been any "broad streets" or wide thoroughfares in the town or approaching it; and the bridge, of which we are informed that "two or three piers" only remain, never had but a single span, both short and narrow, thrown across a contemptible mud-creek, almost devoid of water in the dry season or at low tide; and that single span — a very picturesque one, by the way — is still there. That a great store of wealth for those days annually passed through Old Panama, there can be no question. The place was, however, merely a channel; and, after a fairly close inspection, I do not hesitate to repeat that the stories of its art, its population and its treasures — generally of its size and splendor — constitute about as baseless an historic fabric as the legions that fought at Marathon or the myriads that followed Xerxes. Old Panama, as seen through the imagination of modern investigators, bears, I believe, just about as much resemblance to the sixteenth century reality as Francis Drake's *Golden Hind* would bear to a present-day Atlantic liner, say the *Lusitania*.

PANAMA [1]

PAnama is the principall citie of this Dioces: it lieth 18. leagues from Nombre de Dios on the South sea, and standeth in 9. degrees. There are 3. Monasteries in this said city of fryers, the one is of Dominicks, the other is of Augustines, and the third is of S. Francis fryers: also there is a College of Jesuits, and the royall audience or chancery is kept in this citie.

[1] From a "Relation of the ports, harbors, forts, and cities in the West Indies which have been surveied, edified, finished, made and mended, with those which have bene builded, in a certaine survey by the king of Spaine his direction and commandement: Written by Baptista Antonio, surveyour in those parts for the said King. Anno 1587. It was printed in Hakluyt's *Principall Navigations*, III. 554, and in the edition of 1904, in X. 148.

This citie is situated hard by the sea side on a sandy bay: the one side of this citie is environed with the sea, and on the other side it is enclosed with an arme of the sea which runneth up into the land 1000. yards.

This citie hath three hundred and fiftie houses, all built of timber, and there are sixe hundred dwellers and eight hundred souldiers with the townesmen, and foure hundred Negros of Guyney, and some of them are freemen: and there is another towne which is called Santa Cruz la Real of Negros Simerons, and most of them are imployed in your majesties service, and they are 100. in number, and this towne is a league from this citie upon a great rivers side, which is a league from the sea right over against the harbour of Pericos. But there is no trust nor confidence in any of these Negros, and therefore we must take heede and beware of them, for they are our mortall enemies.

There are three sundry wayes to come to this citie, besides the sea, where the enemy may assault us. The one is at the bridge which is builded upon the river: and on the one side of this, there lieth a creeke: so on this side the citie is very strong, because it is all soft muddie ground, for in no way they cannot goe upon it. And right over against it there lyeth a river which is in maner like unto a ditch or moate; and on the other side of the River there lyeth a great Lake or Pond which is full of water all the Winter, and part of the Sommer, so that on this side the city is very strong, for with very small store of souldiers this place might bee kept verie well.

The greatest danger for the surprising of this citie is the way that doth come from Nombre de Dios: for all this way is playne ground and no woods: and 2000 yardes from this citie there lyeth a river called Lavanderas, where the women doe use to wash their linnen: and this river doth goe into the creeke, according as I have certified your majestie: and being once past this river, there is a causey which goeth directly unto them. The other way which doth go towards the citie is lower downe towards the sea at a stone bridge lying upon the way which goeth to the harbour of Perico. These two wayes cannot be kept nor resisted, because it is all plaine ground and medowes.

Upon the East side of this citie there are your majesties royall houses builded upon a rocke joyning hard to the Sea side, and they doe aswell leane towards the sea as the land. The royall audience or chancerie is kept here in these houses, and likewise the prison. And in this place all your majesties treasure is kept. There dwelleth in these houses your majesties Treasurer, the Lord President, and 3. Judges, and master Atturney. All these doe dwell in these houses, and the rest of your majesties officers: which are sixe houses besides

those of the Lord President, the which are all dwelling houses, and all adjoyning together one by another along upon the rockes. And they are builded all of timber and bourdes, as the other houses are. So where the prison standeth and the great hall, these two places may bee very well fortified, because they serve so fitly for the purpose, by reason they are builded towardes the sea, and that there lye certaine small rocks, which at a lowe water are all discovered and drie, and some of them are seene at a high water. Right over these houses to the Eastwardes there lyeth an Island about five hundred yardes from these houses, and the Island is in forme of a halfe moone; and in this order it runneth all alongst very neere the maine land: so over against these houses there lyeth the harbour where all the shippes doe use to ride at an anker, after that they have discharged and unladen their marchandize. For when they have their lading aboord, there can come in none but small Barkes, and at a lowe water the shippes are all aground and drie, and so is all the space some thirtie yardes from those houses. Right over against them standeth the citie.

When newes were brought to this citie of those Pirates which were come upon this coast, the Lord President and Judges commanded that there should a sconce bee made, and trenched round about, made all of timber for the defence of this citie against the enemie, and to keep your majesties treasure. So your officers caused Venta de Cruzes to be fortified, and likewise Chagre, and Quebrada, and fortified the garrison of Ballano: for all these are places where the enemy may land, and by this meanes spoyle all this countrey.

There are three sundry places where this citie may without difficulty be taken, and spoyled by the Pirates. The first is on the North seas in a certaine place which lyeth foureteene leagues from Nombre de Dios, the place is called Aele to the Eastwards, where once before certaine men of warre have entred into those seas. The other place is Nombre de Dios, although this is a bad place and naughtie wayes, and full of waters and a very dirtie way: for three partes of the yeere the countrey people doe travell upon those waters, and an other very badde way, which is the going up of certaine rockes and mountaines which they must climbe, called the mountaines of Capira, which are of height three quarters of a league, so in this place with very small store of souldiers wee can defend our selves from the fury of the enemie, so these dwellers doe say that in Sommer the wayes are very good without either dirt or water.

The other entrance is up the river of Chagre, which rivers mouth lyeth eighteene leagues from Nombre de Dios to the Westwards falling into the North sea, and this is the place which the citizens of Panama doe most feare, for they may come up this river to Venta

de Cruzes, and so from thence march to this citie, which is but five leagues off. So up this river there goe boates and barkes which doe carry 320. Quintals waight. These are they which carry the most part of the marchandize which doe come from Spaine to be transported to Peru, and from Venta de Cruzes it is carried to Limaret which is three leagues off that place, and the dwellers doe report that it is a very good way: and if any men of warre will attempt to come into these seas, they may very easily come up this river as farre as Venta de Cruzes, and from thence march unto this citie, and if the enemy will, they may bring their pinnesses ready made in foure quarters, and so taken in sunder, may afterwards set them together againe: as it is reported that Francis Drake hath used it once before when he came that voyage; and so he may attempt us both by sea and land. And forasmuch as the most part of these people are marchants, they will not fight, but onely keepe their owne persons in safetie, and save their goods; as it hath bene sene heretofore in other places of these Indies.

So if it will please your majesty to cause these houses to bee strongly fortified, considering it standeth in a very good place if any sudden alarms shoulde happen, then the citizens with their goods may get themselves to this place, and so escape the terrour of the enemy: and so this will be a good securitie for all the treasure which doth come from Peru. So all the Pirats and rebels, which have robbed in these parts, have gone about what they can to stoppe this passage, and so by this meanes to stoppe the trade of Spaine, and to set souldiers in this place, for to intercept and take your majesties treasure, whereby none might be caried into Spaine. Therefore it behooveth your majestie to fortifie these places very strongly.

These places being fortified in this maner, your majesty shal have al your gold and silver brought home in safetie which commeth from Peru. And all those commodities which are laden in Spaine may come safe to this place. And if perchance any rebels should rise in these parts, which would rebel against your majesty, which God forbid, & if they should chance to joyn with any of these pirats, having this place so wel fortified, & Puerto Bello in ye North parts, & so to send some garrison your majestie needs not to feare: for here in this harbor are alwayes 10 or 12 barks of 60 or 50 tunnes apiece, which do belong to this harbor. So if any of these places shalbe intercepted, then your majestie hath no other place fitter then this to land your majesties souldiers, for then they have but 18. leagues to march by land, & presently they may be shipped to supply these places which shal stand in most need of them. In al the coast of Peru there is no harbour that hath any shipping but onely this place, and the citie of Lima, where there are some ships

and barks. The harbour being thus open without any defence, a man of war may very easily come to this place, as I have certified your majestie, thorow the streits of Magellane, & arrive at that instant, when those barks, do come from Peru with your majesties gold & silver, for sometimes they bring 5 or 6 millions in those barks; so the enemy may come and take al their treasure, & not leese one man, because here is not one man to resist him, therefore this place being thus fortified, the treasure may be kept in the fort. There is a trench made round about your majesties houses which are builded of timber: the President and Judges did cause it to be made, for that here was newes brought that there were certaine men of warre, & pirats comming for these parts. So this trench is thus maintained until such time as your majesties pleasure is to the contrary, & in such wise that your souldiers may fight lying behind the trench; so there is order given to build a platforme upon the plaine ground, and so to plant such ordinance in those places, as shall be thought most convenient.

If it wil please your majestie, here we may make a sconce or fort toward the land side, & so trench it round about and build it with stone, because here is a place and al things readie for the same purpose; and by this meanes the citie would be securely kept: as for the sea there is no danger at al, by reason that the water doth ebbe & flow twise a day, and then when it is ebbing water it wil be all ozy & muddy ground and rocks, so that in no wise at a low water the enemy can wade over the mud to come to this city, and it reacheth from the Island til you come to the bridge called Paita. Two leagues from this city there lieth a harbor called Perico downe to the Westward: this is a very sure harbour by reason of 3. Islands which do joyne in manner of a halfe moone, they lie halfe a league from the maine, the Islands do enclose the harbor round about, the harbour is a very high land, and the Ilands are but reasonable high, there is good store of fresh water: also there hath never any ship bene cast away in this harbour, for there is 7. fathome water at ful sea, and 3 or 4 fathome at lower water, and very good ground for their ankering, and when they will trimme their ships, they may hale them ashore. All those ships and barks which come from Peru with gold, silver or any other kind of commodities, do first come to an anker in this harbour, and if they have a contrary weather they cannot come into the harbour of Panama; and for so much as the harbour hath no defence for the safegard of the ships, if a man of warre should chance to come into the harbour, all the barks with the treasure may be very easily taken. And likewise these barks & ships which do navigate in the South seas carrie not so much as one piece of ordinance or a rapier to defend them withall. From this place to

Venta de Cruzes is not passing 5 leagues; so that if any pinnesse should happen to arrive there, no doubt but they might robbe and take al your treasure which is in those barks, by reason that from the shore they cannot be rescued nor holpen, because it is an Island and refuge for all ships and barks. If it would please your majestie here might some fort or defence bee made in the middlemost Island, and some ordinance planted, and this might bee made with little charges, because in the said Island there are all kinde of necessaries fit for that purpose, so by this meanes your majestie may have both the harbour and the citie very well kept.

And likewise there is another entering into the South sea which is called the river of Francisca, which lieth on this side of the Cabeça de Cativa, and this river doth come into another river which is called Caracol, and is five leagues from this citie; and once before these Simerons brought into this place certaine Frenchmen.

The River of Chagre

THe river of Chagre lieth in 9. degrees and one tierce. The mouth of this river is in the North seas 18. leagues from Nombre de Dios, and 13. leagues from Puerto Bello: there is caryed up this river certaine quantitie of those merchandize which are unladen at Nombre de Dios which come from Spaine. From the mouth of this river to Venta de Cruzes are eighteene leagues. From this place where the barkes unlade their commodities, they are carried upon mules to Panama, which is but five leagues off from this place.

This river hath great store of water in the Winter. And the barkes which belong to this river are commonly of 320. Quintals that is of 16. tunnes in burthen: but in the Summer there is but small store of water: so then the barkes have much to doe to get up this river: and in many places these barks are constrained to unlade their commodities; and are drawen by mens strength and force a good way up the river, and therefore if it would please your majestie to command that all those goods may bee first unladen in Puerto Bello, and there to build a litle castle in the mouth of the said river, and at the foote of the castle to build a storehouse to unlade and keepe all the sayd goods, and there to build other barks of lesse burthen; then these would serve for Sommer, and the great barks for the Winter.

If it would please your majestie, there might a very good high way be made on the one side of the river, and so they might bee towed, for it may bee made and not with much cost because it is all plaine ground, and there is growing upon the sayd river great store of timber and trees which doe lie over-thwart the said River; so that

they are very cumbersome and great annoiance unto the said boates, aswell those that go up the said River, as also that doe come downe the said River.

And therefore if it might please your majestie to command, that Puerto Bello might be inhabited, and the towne made neerer the Rivers side, every thing would be a great deale better cheape, if the commodities were caryed up the River; for it is a great danger to cary them up by land, for it is daily seene that the mules do many times fall and breake their neckes with their lading upon their backs, as well the treasure as other kinde of commodities, because it is such a bad way. And your majestie might be at this charges and spend your revenewes of Nombre de Dios and Panama, which do yerely yield 12 or 14 thousand pezos, & this being once done it would be a great ayd and benefit to those, which doe trade and trafficke, and to those merchantes which doe send their goods over-land, and ease them much of paine and purse, because the other is a most filthy way, as any is in the world.

Mr. DAVIS presented the following paper:

THE CHARITABLE CORPORATION OF LONDON

In the *Weekly Rehearsal* of February 18, 1734, there was published "A letter from a gentleman in Rhode Island to his friend in Boston." The writer of the letter felt called upon to defend the Rhode Island emissions from the boycott imposed upon them by the Boston merchants, who had themselves the year before formed a company and emitted short term notes, redeemable in silver at a fixed price. He thought that the good reputation of these merchants was not a sufficient guarantee against the scandals that might arise in consequence of the power lodged in their hands, and with this in view he writes:

We have heard, Sir, and we have not forgot what we heard of the *fatal South-Sea Scheme*, by which Thousands of Families, that were even Creditors to the Publick, and others were ruined and undone by the Intrigues of a *few Directors*, in whose *Integrity* and *Capacity*, those Creditors and the Publick did implicitly confide.

We have a later Instance in the *Charitable Corporation*, who by giving such great and needless Opportunities to their *Managers*, corrupted some Gentlemen of Superiour Credit for Integrity and Capacity, and of Superiour Fortune and Circumstances in Life to any Gentleman in *New England*.

A controversialist, who attacked the Rhode Island emissions in a letter addressed to the Author of the *Weekly Rehearsal*, which letter was published in that paper March 4, 1734, referred to this threat of impending disaster, conveyed in the allusions to the misfortunes of these English companies, and pointed out the differences in the situation through which New England was relieved from the suggested danger. In this communication the names of the two companies are again drawn into the controversy, in the following sentence:

I thought to have said nothing about this Gentleman's Reflections upon the Undertakers in these Notes, from the ill Conduct of the Directors in the *South Sea Scheme*, and the Managers in the *Charitable Corporation*, when the Affairs are almost as different as possible.

In a communication from Newport, dated March 13, 1734, and published in the *Weekly Rehearsal*, March 25, 1734, a writer, finding this theory of imminent danger to the company which emitted the merchants' notes, already in motion, adds to its momentum through the following impulse:

I could suppose, that the Undertakers of the private Notes, finding the Sweet and Benefit of Minting and Coining, without telling the World, or that their Committee without telling the rest or all of their own Company, should strike *two or three hundred thousand Pounds* more off the same Plates, and that when the Secret began to take Air, and the Cheat to be discovered, the Indorser, having taken due Care to vary his Hand writing, should for a valuable Consideration, go and live abroad with KNIGHT and THOMPSON. I don't say this will be the Case, I hope it will not; but if it should, where would be the odds between this *Bubble* and the *South-Sea*, or *Charitable Corporation*, but only that the last robbed the Public of the largest Sum? And I would ask what Security the Publick has, that this will not be the Case, except the meer Honesty of the Committee against an immense Gain? This Gentleman well knows, the Fraud in the *South-Sea* arose from the People's Fault, in implicitly taking Stock at the imaginary Value, the Company or Directors put upon it; and that the first Step to the Ruin of the *Charitable Corporation*, was the Managers Contrivance to enlarge their Capital Stock beyond their Charter or first Scheme.

In the *New England Weekly Journal* of Monday, April 1, 1734, the subject is again taken up, and the writer says the al-

lusion to Knight and Thompson is "nothing but an amusement" and adds "nor has he the face to suspect any such thing in this affair."

It will be noted that the several writers of these communications, whether they on the one hand select the career of the two corporations and the flight of certain of their officers as examples of ignominy, or on the other passively admit the justice of the selection on the part of their opponents, all assume familiarity on the part of the New England parties with the wrongs committed by the companies and with the defalcations of their employees. Nor is it strange that such public knowledge should have been assumed in the case of the South Sea Company, the failure of whose gigantic combinations was of international significance and caused financial disturbances of far-reaching importance. We realize that English colonists must have known about this company and that the name of Knight would probably have been recognized by the average contemporary reader as that of a notorious defaulter. The coupling together of the names of the two companies and also of their defaulting officers indicated that it was supposed that a public familiar with the history of the companies and fully cognizant of the crimes committed by their employees could draw its own inference as to the ignominy which New England ought to avoid. The following extract from the *Boston Gazette* of February 6, 1721, will show that this general familiarity with the affairs of the South Sea Company was not based solely upon the financial importance of the failure, but rested also on the reproduction in the columns of the Boston papers of statements as to events connected therewith:

> Last Monday night there was a General Council at St. James's in which a Proclamation was ordered to be forthwith printed and published, for apprehending Robert Knight Cashier, or Treasurer, of the South-Sea Company who after his Examination before the Committee, thought fit to fly from Justice. A Reward of Two Thousand Pound is offered by the Government for Apprehending him.
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> It is Reported that Mr. Knight drove himself out of Town, on Saturday last, in a Calash; and that he was seen at Gravesend, on Sunday Morning, going on Board a small Vessel, which was towed down the River, he being in too much haste to wait for the Tide: But we hear Orders are sent to all the Ports, to stop more of those Gentlemen from getting off.

The author of *A proposal to supply the trade with a medium of exchange*, etc., refers to the South Sea Company as a "sad instance whereof our Nation experienced," and Douglass in his *Summary* devoted one of his digressions to "A short history of South Sea Company affairs."

No such impress was made upon the history of the period by the failure of the Charitable Corporation. As a matter of fact writers of the history of that day have neglected to mention the corporation and have failed to exhibit Thompson in the position of the awful example where he was pilloried by the Boston writer in 1734. The disturbance caused by the failure was local in character and temporary in its effects. Its story has been perpetuated through parliamentary documents connected with proceedings directed against the company, and with hearings relating to the establishment of a lottery for the relief of creditors and proprietors. There is an abundance of material in our libraries relating to these proceedings, but the sources of authority are not easily discovered through the catalogues.[1] The most valuable and most complete sources of information in this matter are to be found in the Journals and Committee Reports of the House of Lords[2] and House of Commons.[3]

[1] I ought, under the circumstances, to acknowledge that I was set upon the track which has enabled me to furnish the sources of authority for a history of the Charitable Corporation by the kind assistance of Mr. Albert Matthews. Quite recently I found by chance, in a bound volume of pamphlets in the library of the Massachusetts Historical Society, a pamphlet bearing the title "Five Speeches as they were spoken in the House of Commons. By W—— S——, Esq; [Price One Shilling]." A second title-page read as follows: "Four Speeches against Continuing the Army, &c. As they were spoken on several occasions in the House of Commons. As also, A Speech for Relieving the Unhappy Sufferers in the Charitable Corporation; as it was spoken in the House of Commons, May 8, 1732. By W. S., Esq. London. 1732."

The speaker has apparently been identified by some person who has written the word "William Shippen" on one of the leaves. There was nothing of importance in the speech.

[2] The Report of the Commissioners appointed for taking, stating and determining the claims of the Creditors and proprietors of the Charitable Corporation. Printed by order of the House of Lords, London, 1732. [A transcript of this report has been presented to the Society by Mr. Davis.]

[3] Details concerning the progress of legislation and investigation are scattered through Volume XXI. of the Journals of the House of Commons. Reports of the Committee to which the petition relative to the affairs of the Charitable Corporation was referred are to be found in "Reports from Committees of the House of Commons, Which have been printed by Order of the House, And are not inserted in the Journals." Reprinted by order of the House. Vol. I. 363, 337.

It is obviously not within the functions of this Society to publish accounts of obscure incidents in English history unless these incidents have in some way influenced or affected the lives of our ancestors. Yet if we would seek to reinstate provincial society and judge the actions of men then living and doing as we do those of our contemporaries, we must take notice of allusions as slight as those made with regard to the Charitable Corporation, and we can only measure the strength of the polemical argument then presented by the newspaper correspondents by reviewing the facts which had induced the writers thus to invoke the career of that corporation as typical of what was most to be avoided by those who loved New England.[1]

It appears in a report of a committee appointed by the House of Commons to investigate the affairs of the Charitable Corporation that the Company was incorporated December 22, 1707.[2] The field of action which it had selected for itself was set forth in its title in the following words: The "Charitable Corporation for the relief of industrious poor, by assisting them with small sums upon pledges, at legal interest." For the first ten or twelve years of its existence the company if it did any work at all confined itself to the philanthropic purposes for which it was organized. Consequently there is no trace left of its operations during that period.

In 1719, the company began to put forth efforts to secure an increase of capital. A pamphlet was issued entitled *Mons Pietatis Londinensis: A narrative or account of the Charitable Corporation,* etc., in which the purposes of the corporation were fully described, instructions to officers which were calculated to prevent fraud were set forth, and the various safeguards thrown around the business were enumerated.[3] After having in this manner established a claim for public sympathy, the writer goes on as follows:

[1] The material made use of in this paper was originally collected for use in a note to a forthcoming volume of the Prince Society publications. It will eventually appear in Vol. III. of Colonial Currency Reprints.

[2] In Strype's Stow's *Survey of London*, Vol. II. 373, 374, it is stated that the incorporation took place in the 6th of Queen Anne, December 22, 1708. It did take place in the 6th of Queen Anne, but the year was 1707.

[3] Mons Pietatis Londinensis: A narrative or account of the Charitable Corporation, for relief of Industrious poor, by assisting them with small sums upon pledges at legal Interest, etc. Printed in the year 1719. [A transcript of this pamphlet has been presented to the Society by Mr. Davis.]

"Thus Sir, You will see there is no Danger, that *the Fund of the Corporation will ever be imbezled or sunk* by Mismanagement. . . ." The concluding sentence of the pamphlet proper is couched in these words: "And now, Sir; it is submitted not only to you, who by the generosity of Your Temper, are favorable to all Charitable Designs, but even to the most severely Critical Person to judge, whether this Undertaking does not answer its Title, and Merit the Encouragement of every Honest Gentleman."

It is but fair to say that this language is fully justified by the various checks and restraints imposed for the protection of dealers and proprietors, upon the servants of the corporation. It is presumable also that *Mons Pietatis*, etc., which is somewhat in the nature of a prospectus, was put forth in perfect good faith by the management. There may have been those among the advisers of the company who foresaw opportunities for personal aggrandizement in the enlargement of its field of action, but it does not need that we should be suspicious of the board of managers in thus seeking for a wider scope for philanthropic action.

The original capital of the company was £30,000. This was divided into three hundred shares. It was obvious that the shares were too large for an appeal for popular subscriptions in case of an enlargement of capital, and in 1718, when this subject came up for discussion, the secretary of the company suggested that the par value of each share should be reduced to twenty-five pounds, thus changing the form of the capital from three hundred shares of one hundred pounds each, to twelve hundred shares of twenty-five pounds each. This proposition was carried at a general court of the corporation in 1718.

The application for the increase of the stock of the company was made in 1719. The speculative mania inaugurated by Law in Paris was then at its culmination. The contest between the Bank of England and the South Sea Company for the privilege of managing the English national debt in the same way as that which Law was then attempting with the French debt, was not as yet settled. Twenty-two years before this Parliament had passed an act for the restraint of stock-jobbing. It had proved to be of little value, and the extraordinary stimulus given to speculation by Law's career in Paris,

which up to this time had been uninterruptedly successful, had naturally inaugurated a market in London, which furnished opportunity for launching schemes of all sorts. No demand was made upon the promoter that his propositions should command respect. Success on the stock market was the object in view. At such a time as this the mere moderation of the demands of the Charitable Corporation was a sufficient explanation of the temporary failure of this petition, but the case of the company was persistently pressed upon the attention of Parliament with the result that after the collapse of the South Sea Company the petition of the corporation for a license to increase its capital to £100,000 was granted on the 22d of June, 1722. One argument put forth by the petitioners, the force of which at this time will be appreciated, was that "their fund had never been stock-jobbed as other Funds had been." [1]

The hand of the speculators who were to ruin the corporation did not show itself until the fall of 1725, when, on the 2d of November, the par value of the shares was reduced to £20 a share, the capital remaining the same, and power was given the officers to loan money on notes. October 25, 1726, the then par value of the shares was divided in two, being fixed at £10 per share. March 28, 1727, the process was repeated and the capital of £100,000 was divided into 20,000 shares of £5 each. Then followed two increases of capital, one on the 21st of June, 1728, to £300,000, and another two years thereafter, on the 31st of July, 1730, to £600,000. The original increase to £100,000 was secured openly, the whole transaction being in all respects regular and above-board, but the Investigating Committee of the House of Commons stigmatized the two increases which brought the capital up to £600,000 in the following terms:

Licenses for augmenting to £300,000 and £600,000 were obtained upon false suggestions and representations, and were applied for to the Crown without any order of a General Court, or of a court of Committee of said Corporation, and in a private and clandestine manner, and kept secret for some months for the private advantage

[1] 1732 — Further report with the appendix from the Committee to whom the petition of the proprietors of the Charitable Corporation, etc., was referred, p. 365. This report is in a volume of Reports of Committees to the House of Commons in proper chronological sequence. Another report is in the same volume, p. 537.

of some of the committee and assistants and their agents during which time great numbers of shares were bought by them.[1]

The author of *Mons Pietatis*, etc., had pointed with pride to the strict and guarded instructions to officers through which the rights of stockholders and of their dealing with the company were protected from loss or fraud. In 1732 a short history of the company and of the frauds discovered in the management of its affairs was published. This author also refers to the settlement of these instructions in 1719.[2] All these boasted checks and restraints were set aside in the new field of business which they entered after the enlargement of the capital, and the management of the larger affairs of the company was then concentrated in the hands of certain individuals, of whom John Thompson, the warehouse keeper, was one.

The corporation was the owner of a warehouse situated in Spring Garden near Charing Cross,[3] which figured in its assets as being worth between eighteen and nineteen thousand pounds. Here apparently was transacted the business for which it was originally incorporated. Here small pledges alone were received, and here were maintained to the end the various checks and restraints upon the employees, referred to heretofore. A second warehouse was located in Fenchurch Street and was spoken of as on Lawrence Pountney's Hill. These latter premises were probably hired. They do not appear in the list of the company's assets. Here business was carried on upon a larger scale; here all safeguards were thrown to the wind, and it was through the negotiation of loans nominally made upon pledged goods stored here that the corporation was wrecked. When the bankruptcy of the company was disclosed, it was found that the warehouse was practically empty instead of being full of pledged goods as was supposed, and the method of Thompson's operations through certain brokers, with whom he had contracts for handling the corporation notes, was made

[1] *The Gentleman's Magazine*, II. 766, gives some figures bearing on this question.

[2] A short History of the Charitable Corporation from the date of their charter, to their late petition. In which is contain'd a succinct History of the frauds discovered in the Management of their affairs, which occasion'd the Proprietors application to Parliament; etc., London, MDCCXXXII. [A transcript of this pamphlet has been presented to the Society by Mr. Davis.]

[3] This is described as the "Capital House" of the company in an inscription in a copy of "Mons Pietatis" in the Harvard College Library.

public. Pledged property, valued at above £500,000, if it ever existed, had completely disappeared.

May 15, 1731, the condition of the Charitable Corporation, that is to say, of the Fenchurch Street end of its affairs, was so thoroughly understood that the lord mayor, aldermen and commons of the City of London petitioned the House of Commons, setting forth the bankruptcy of the corporation and praying for relief. The dual character of the business of the company brought to its support at this crisis numerous traders, merchants, master-workmen and others from London and from Westminster whose knowledge of the philanthropic work performed at the Spring Garden warehouse led them to petition that the company might be permitted to continue this work, which they alleged to be of great value to the poor people who were forced to pawn their goods and of the utmost importance to the community. Whereupon committees were appointed both in the Lords and the Commons, hearings were held and investigations were inaugurated. Prisoners from three of the London prisons were brought before the committees. The reports of the committees and the reports of the investigators were ultimately printed. Some are in the Journals of the Houses, some were separately printed. As a result of all these proceedings a bill was matured for the restraint of the corporation in the transaction of business. It is evident that so far as the company itself was concerned, it was disposed to struggle along even after its hopeless insolvency was disclosed, postponing as long as possible the evil day when the neglect of the directors and supervising officers should necessarily be made public.

Thompson, the embezzler, fled the country at some date not exactly given, but evidently in the year 1730. No steps were taken immediately thereafter to examine critically the condition of the company and to verify the loans and pledges. Associated with Thompson in these transactions was some person hinted at by the author of "The Short History of the Charitable Corporation" in the following extract from that work, in which this neglect of the officers is alluded to: "When *Th——n* withdrew, and another very remarkable Person Disappear'd they [the managers] took no care to examine any of the under Servants Clerks, &c. But left things to take their Course. . . ."

The time of Parliament was much occupied with the affairs of the company for two or three years. The sufferers were confined to creditors, mainly bankers and business men whose transactions were on a large scale, and to stockholders. The borrowers upon small pledges were not affected by the failure. The deposits in the Spring Garden warehouse remained apparently untouched. The stock had however been distributed through the community as an investment. Dividends had been paid upon it even after the flight of Thompson, and sympathy with the families affected by this wiping out of their capital led to the granting by Parliament of a proposal to establish a lottery for the benefit of the sufferers.

While these various proceedings were in progress it was found that the assistance of Thompson was essential if they would unravel the tangled snarl of the company's affairs. In the first outburst of indignation Parliament had passed an act requiring him to surrender himself to the commissioners of bankruptcy appointed in his case, under pain of felony without benefit of the clergy. As this did not seem likely to attract the fugitive to England, and as it was important to secure his aid, legislation was secured, conferring temporary immunity upon him in order that he might testify before the commission. In May, 1732, a banker named Belloni wrote that he had caused Thompson to be arrested in Rome and that he was confined in St. Angelo. Shortly thereafter Thompson acceded to the requests for his return and put in an appearance before the commission. In connection with the continental escapade of Thompson, politics were brought into this curious mixture of philanthropy and crime through charges that the funds thus appropriated had been paid to the Pretender.

The large number of sufferers through the ruin of the Charitable Corporation attracted much attention to the proceedings in Parliament. An official list was published giving the names of the sufferers, the amounts of their claims and the allowances made from the receipts of the lottery to each person. The magazines of the day, especially the *Gentleman's Magazine*, contain many items bearing on these transactions.

The "Short History," etc., was published in behalf of the proprietors and was undoubtedly intended to influence Parliament while considering the lottery act. It fitly characterizes

the delinquencies of the officials of the company in relieving Thompson from all supervision in the following sarcastic terms: "The Committee suffer him to certify for himself; there is no longer any Body to inspect the ware-house, J—n T—— certifies for *John* Th——n, that he has left such a Pledge, worth so much, in the Ware-house; with himself. And this was allowed to the amount of Thousands at a time." The result is tersely stated by the same writer as follows: "Our Cash is gone, our debts large, our Accounts confused, and our Reputation totally ruined."

The long-protracted parliamentary investigation and the frequent allusions to the progress of the lottery in the *Gentleman's Magazine* and the *London Magazine* must have brought the subject before a wide circle of colonial readers, and must therefore have made familiar to a large colonial public the name of Thompson and the gravity of the crime committed in the name of philanthropy.

The EDITOR prints two documents. The first, relating to the sale of an Indian, was given to the Society by Mr. Samuel S. Shaw; and the second is in the possession of Mrs. Bradley Gilman, of Canton, Mass.

KNOW ALL MEN by these Presents That I Henry Limbrey of Boston in the County of Suffolk and Province of the Massachusetts Bay in New England Merchant for and in Consideration of the Sum of Eighty pounds in money to me in hand at and before the Ensealing and delivery hereof well and truly paid by John Dolbear of Boston aforesaid Brazier — The Receipt whereof I hereby acknowledge, have given granted bargained and Sold and by these Presents Do fully and absolutely g[ive] grant bargain and Sell unto the Said John Dolbear his Heirs and Assignes for ever my *Indian Man* aged about Twenty years — *To have and to hold* the Said Indian named John Kent unto the Said John Dolbeare his Heirs and Assignes to his and their only proper Use benefit and behoof forever. And I the Said Henry Limbrey *Do Avouch* my Self at the Time of the Ensealing and until the delivery hereof to be the true Sole and Lawfull Owner of the Said Indian Man. And for my Self my heirs Exec.^{rs} and Admin^{rs} Do hereby Covenant promise grant and agree to *Warrant* and Defend the Said Indian Man John Kent unto the Said John Dolbear his Heirs and Assignes for ever against the Lawfull Claim and Demand of all and every person and persons whomsoever *In*

Witness whereof I have hereunto Set my hand and Seal the Seventeenth day of December Anno Dom 1728 Annoq^{e} R^{i} R^{is} Georgii Secundi Magnæ Britaniæ etc Secundo.

HENRY LIMBREY.

SEAL.

Signed Sealed and Deliv'd
in the Presence of us
WILLIAM PAINE.
DAVID DOLBEARE.

Received on the day of the date above of Mr. John Dolbear the Sum of Eighty pounds being the full Consideration within Expressed, per

HENRY LIMBREY

KNOW all men by these presents That I John Dolbear the Grantee named in the Bill of Sale on the other Side, for and in Consideration of the Sum of Eighty pounds in good Publick Bills of Credit of this Province to me in hand at and before the Ensealing and Delivery hereof well and truly paid by Arthur Savage of Boston in the County of Suffolk Esq^{r} Do therefore Grant bargain Sell Assigne Transfer and make over unto the said Arthur Savage, The within-named Indian Man named John Kent, and all the Right Title and Interest that I have to and in him by vertue of the said Bill of Sale *To Have and to H*[*old*] the said Indian Man and all the Right Title and Interest that I have to and in him by vertue of the said Bill of Sale unto the said Arthur Savage his Exec'rs Adm'rs and Assignes forever. with the benefit of the Covenants in the said Bill of Sale, and with Warranty against all persons whatsoever. *Witness* my hand and Seal March 27th 1729.

JOHN DOLBEARE

SEAL.

Sealed and Delivered
in presence of
ANDREW BORDMAN.
ANTH^{O} WOULFE.

Received on the day of the date above of the above-named Arthur Savage the Sum of Eighty pounds being the Consideration money therein expressed, per

JOHN DOLBEARE

THIS INDENTURE witnesseth,
That George Taylor, Job Sweeting, John Matthewson, Ebenezer Thompson, Daniel Cahoone and Christopher Sheldon, all of Providence in the County of Providence in the State of Rhode Island and Providence Plantation, Gentlemen, who Constitute and make the

Present Town Council of said Providence in their said Capacity, Have put and by these Presents Do put and Bind Lucy Millar, an Infant under the Age of Twenty One Years, Viz. of the Age of [ ], a Poor Child of said Town, an Apprentice to Asa Franklin of said Providence, Gentleman, and Franklin, the Wife of the said Asa Franklin, after the Manner of an Apprentice, to serve from the Day of the Date of these Presents for and during the Term of [ ] next ensuing, to be compleat and ended. During all which said Term, the said Apprentice, her said Master and Mistress She faithfully shall serve, Their Secrets keep, Their lawful Commands gladly obey: She shall do no Damage to her said Master or Mistress nor see it done by others, without letting or giving Notice thereof to her said Master or Mistress. She shall not waste her said Master's or Mistresses Goods, nor lend them unlawfully to any: She shall not commit Fornication, or contract Matrimony, within the said Term. At Cards, Dice, or any other unlawful Game, She shall not play, whereby her said Master or Mistress may have Damage. With her own Goods, or the Goods of others, without Licence from her said Master or Mistress shall she neither buy nor sell: She shall not absent herself by Day or by Night, from her said Master or Mistress's Service, without their Leave; or haunt Ale-houses, Taverns, or Play-houses: but in all Things behave Herself as a good and faithful Apprentice ought to do towards her said Master and Mistress and all Theirs, during the said Term. And the said Asa Franklin and [wife] do hereby promise to teach and instruct, or cause the said Apprentice to be taught and instructed, in the Art, Trade, or Calling of a Spinster or House Keeper by the best Ways and Means they can. And shall also Find and Provide for their said Apprentice good and Sufficient Meat, Drink, Apparrel, Washing and Lodging with all other Necessaries in Sickness and in Health as is fit and ussual for such an Apprentice during the said Term; and at the End of said Term shall Dismiss their said Apprentice and shall give her one new Suit of Apparell besides her common wearing Apparel at the End of said Term. And shall also learn her to read and write English.

In TESTIMONY whereof, the Parties to these Presents have hereunto interchangeably set their Hands and Seals, the Second Day of October in the Year of our Lord One Thousand Seven Hundred and Seventy Six

Signed, Sealed, and Delivered,
in the Presence of

[*No signatures.*]

Remarks were made during the meeting by Messrs. DAVIS, SANBORN, HART and GREENOUGH.

JUNE MEETING.

THE stated meeting was held on Thursday, the 8th instant, at twelve o'clock, M.; the PRESIDENT in the chair.

The record of the last meeting was read and approved; and the Librarian reported the list of donors to the Library.

The Recording Secretary, for the Corresponding Secretary, reported the receipt of a letter from George Hodges accepting his election as a Resident Member of the Society.

The Cabinet-Keeper reported the gift, by Francis J. Garrison, of the imposing-stone of *The Liberator*, with the stand, used by William Lloyd Garrison; also a framed description of the stone, and eight abolition banners used at the anti-slavery fairs and festivals, and, at least on one occasion, at Hingham carried in procession. The description of the stone reads as follows:

> On this stone, for at least twenty years (1845–1865), William Lloyd Garrison made up each week with his own hands the type pages of his newspaper, *The Liberator*, which, founded by him in 1831, was published without interruption for thirty-five years, until, by the 13th Amendment to the Constitution, slavery was abolished in the United States.
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> "How many days and nights have I wearily bent over it in getting ready the paper for prompt publication! What a 'stone of stumbling' and a 'rock of offense' it was to all the enemies of emancipation!" (William Lloyd Garrison, Oct. 23, 1878, in a letter to George W. Stacy, of Milford, Mass., a brother printer and abolitionist, who purchased the stone and used it for twenty years (1866–1885), when it reverted to Mr. Garrison's family.)

The Cabinet-Keeper also reported the gift, by the Duc de Loubat, of a bronze medal recording his election to the Académie des Inscriptions et Belles-Lettres on November 29, 1907; and the gift, by the late Mrs. Oliver W. Peabody, of a pair of glass decanters which belonged to Commodore Decatur.

The Editor reported the gift, by Mrs. Theodore A. Dodge and her son Prof. R. E. Neil Dodge, of the unfinished manuscript

of our late associate Colonel Theodore A. Dodge on Frederick the Great, with which he purposed to close his Great Captains series. The work will be valuable for reference, and interesting as developing the method of the writer. With the manuscript are more than two hundred manuscript war maps, some of great elaboration, and one hundred and twenty-five designs of uniforms and portraits. He also reported that Samuel S. Shaw had again enriched our collections with printed and manuscript material, among which are two volumes of colonial newspapers, a manuscript autobiography of a thief, Charles Blade, written in Boston gaol, in 1800, and some letters drawn from the correspondence of Chief Justice Lemuel Shaw. Justin H. Smith had presented a manuscript of fifty-four pages, being the letter of Enoch Bayley on his experiences in the War of Independence.

Richard Henry Dana, of Cambridge, was elected a Resident Member of the Society.

The PRESIDENT then called upon Rev. EDWARD H. HALL, who read the following tribute to Colonel Thomas Wentworth Higginson:

My acquaintance with Mr. Higginson may be said to have begun with his article in the *Atlantic* of February, 1859, entitled "Ought Women to learn the Alphabet?" — a frank acknowledgment on my part of my slight acquaintance with our New England literature, of which, as I found, he was already an important exponent. I think it was the delicate irony of the title that first attracted me; though I ought to say at once that, so far as the theme itself was concerned, it had always been so uninteresting and gratuitous to my mind that it needed unusual literary skill to win my attention. I remember well my fear lest this should prove one of the many cases where the title was the whole attraction, holding out a promise which the following pages failed to fulfil. I need hardly say, however, that the essay introduced me to one of the best-equipped essayists that our literature had then to boast, the slight persiflage of the title being simply the token of a writer deeply in earnest, with resources so ample that he could afford to handle them with lightness and humor. With pleasant satire, and extraordinary fulness of illustration, he leads us down through the ages to show the sad results which have

followed from woman's first forbidden taste of the tree of knowledge. My discovery proved a most fortunate one, as this particular paper shows, better than almost anything else he has written, the literary charm and felicity which are now familiar to so wide a circle of readers. His simplicity of style, his familiarity with the literature of many lands, his affluence even to excess of historic illustration, his ready play of satire, his quick perception of the foibles of his fellows, and deeper feeling still for their sufferings and wrongs are all foreshadowed in this early essay. Whatever inspiration could come to an author from great humanitarian themes ready at hand, intensely real and vividly present, united with the chivalrous desire to track human wrongs to their source and make them all his own, came to Mr. Higginson without the asking.

His choice of a profession was determined for him in advance. He could not well escape it. Born in a college atmosphere, "child of the university" as he has been called, coming upon the stage when our great masters of literature were just leaving it, if not still in their prime, he had a path before him from which he could hardly stray. It was fortunate for him, it was equally fortunate in a sense for the noted men whom he so closely followed; for his best laurels were gathered as their interpreter, each one as he disappeared receiving at Mr. Higginson's hand the sympathetic word and discerning estimate which could come only from one of their own intellectual fellowship. If it sounds unwarranted to speak of these brief memorial sketches as the best laurels of so prolific a career, it must be remembered that he deliberately made this limited field of belles-lettres especially his own. No one had less reason to demur at being classified by posterity as an essayist than he. Unquestionably his literary ambition could hardly have satisfied itself without some incursions into the wider fields of letters. Indeed his longer and shorter histories of the United States are ample proofs of his capacity for scholarly research, had he chosen to devote himself to it. None of his writings have won for him more readers, or bear better comparison with books of their class. No more could he refrain wholly from the allurements of romance, and the range of his fruitful genius cannot be fairly estimated without including "Malbone" or "The Monarch of Dreams." Yet we

may rest content with his own decision in these matters, inasmuch as having once tried his experiment he refused to follow it further. According to an able French admirer, who writes from an exceptionally intimate standpoint, in the *Revue des Deux Mondes* of June, 1901, Colonel Higginson in his theological days made serious efforts to school himself as a writer of romance, going so far under the influence of De Quincey's "Confessions" as to make experiments with opium to stimulate his imagination.[1] In his Preface to "Malbone" he says frankly, "its faults are obvious enough, and the recognition of them has kept the author from again risking himself so far in the realms of fiction."[2] Certainly the world has little reason to regret this ingenuous decision. All this time his wide reading and catholic tastes were making him a master of easy and lucid English, and creating a large following among those who love life and nature in their happier moods.

As his literary career seemed so plainly marked out for him, so was his public or political path. There was much of the knight-errant in him; not content with the wrongs that were patent to all, but going abroad to seek what others might pass negligently by. Whatever disrepute attached to them only kindled the more his spirit of adventure. No need of stirring him to action; he was always the challenger. The Kansas troubles, the John Brown affair, the fugitive slaves seized by United States authorities in law-abiding Boston, found him at the front while others were counting the cost or weighing legal or political obstacles. The great crisis of secession when it came found him already fully equipped. As a student he had become from the first an impassioned champion of the broadest religious faith. His moral instincts were formed in the days preceding the civil war. His youthful struggles against the nation's sins were over before the conflict began. The war brought nothing which he had not seen in the making. His side was taken before it had won the nation's endorsement; before freedom had become a watchword; before political subserviency had slunk away in presence of the people's great awakening. His story is for coming generations to read, in search for the hidden sources of the rebellion; from

[1] *Revue des Deux Mondes*, June 1, 616–656.
[2] *Studies in Romance*, IV.

the days of stern fanaticism endangering the good cause in advance, from the hour when the black man was kindly allowed to become a soldier of the republic, and needed those who believed in him to lead him, to the strange hour of reaction, when having given his life to the nation the Negro had to fight for recognition anew.

The war once over he took up again and once for all the pursuit of literature, finding it more than ever his true calling. His first work was a scholarly study and translation of the Works of Epictetus, justifying in a pleasant preface his choice of this particular author. "It has not seemed to me strange but very natural," he writes, as if to prove to himself that the soldier's life need not estrange one from the career of letters, "to pass from camp life to the study of Epictetus. Where should a student find contentment in enforced withdrawal from active service, if not in the 'still air of delightful studies'? There seemed a special appropriateness also in coming to this work from a camp of colored soldiers, whose great exemplar, Toussaint l'Ouverture, made the work of this his fellow-slave a favorite manual. Moreover the return of peace seems a fitting time to call anew the public attention to those eternal principles on which alone true prosperity is based; and in a period of increasing religious toleration, to revive the voice of one who bore witness to the highest spiritual truths, ere the present sects were born." [1]

His military experiences, as it proved, had not dulled at all his literary tastes, as appears in the uninterrupted series of treatises and essays published year after year almost until the hour of his death. Fit subjects for his aggressive pen seldom failed, always ready as he was to signalize every reform or stigmatize every moment of reaction. In the reform movement of 1892 he was the non-partisan candidate from his district for the House of Representatives. The subjects of his "Atlantic Essays," published in 1871, show the themes which were interesting him at that time: A Plea for Culture, 1867; Literature as an Art, 1867; Americanism in Literature, 1870; A Letter to a Young Contributor, 1862; Ought Women to learn the Alphabet? 1859; A Charge with Prince Rupert, 1859; Mademoiselle's Campaigns, 1858; The Puritan Minister, 1862;

[1] *Works of Epictetus*, Boston, 1866.

Fayal and the Portuguese, 1860; The Greek Goddesses, 1869; Sappho, 1871; On an Old Latin Text-Book, 1871.

A marked feature in these papers, as of all that Colonel Higginson wrote, is their unflinching democratic tone. Notwithstanding his wide acquaintance with foreign literatures, and partly because of his admiration of them, he lost no chance of comparing them unfavorably with the untrammelled freedom and untainted atmosphere of whatever was American. Nothing offended him more than the taking on of an English tone. The more alive he was to the splendor of our Anglo-Saxon heritage, the more impatient did he become of any disparagement of our purely western thought and democratic ways. They are the natural flowering of the Anglo-Saxon tree. This was especially apparent at the outbreak of the Rebellion, when the lovers of the mother country among us became suddenly aware that England had a rooted distaste for our national ideas and manners. It was then that he assailed Carlyle so impatiently, Carlyle the hero till then of all American idealists, for comparing the War of Secession with the burning out of a sooty chimney; reminding him at the same time that the term "nigger," which Carlyle used with great relish, was not in use in gentle society. This fierce democratic attitude had a hard time of it, to be sure, in men of Higginson's training, to prove how very different is the American idea of democracy (which is the true idea of course) from that of the common herd. The French admirer of Colonel Higginson to whom I have already referred is evidently much disconcerted at his having so much to say about class distinctions among his model Americans, and about country-bred students who, in spite of their humble origin, became eminent men.[1] Though a fervid champion at all odds of the equality of the two sexes, his French companion saw plainly that Mrs. Harriet Beecher Stowe did not quite come up to Colonel Higginson's mark in feminine grace and savoir-faire. When American "provincialism" is spoken of, he insists that while the term may perhaps be used, our provincialism is quite another thing from what goes under that name in the old countries. To compare them is like comparing the decrepitude of old age with the weakness of infancy with all the promises of the future in its veins. In recounting

[1] *Revue des Deux Mondes*, 624.

his European experiences, according to this French eulogist, Colonel Higginson said quite frankly, "My first duty on arriving in England was to make sure of my position, and find out what they thought of us."[1] He evidently carried his "sturdy Americanism" with him wherever he went. On witnessing a grand military review, at a time when war with Russia was in the air, he was much amused when the pulley which was to hoist the British flag over the queen's pavilion refused to act. As to the troops, he was dazzled by the splendor of the uniforms, but thought a single company of his own bronzed and tattered Africans more imposing than all the battalions of Aldershot.[2]

In these respects Colonel Higginson did not differ essentially from other distinguished Americans whose enjoyment of the homage paid them in Europe has made them the more sensitive to any slight put upon things American, or any indifference to the marvels of our great western continent. The least touch of condescension puts these travellers on their mettle, and does much to destroy the easy intercourse of men wholly at one otherwise in tastes and acquirements. The latent provincialism in us all seems to need but an accent or a gesture to rise up in resentment. But we cannot criticize Colonel Higginson's Americanism, based as it was on so genuine a confidence in his nation's future, and so profound a sympathy with the masses, who were still struggling to rise.

His fidelity to the slave, as it was the first of his youthful passions, received a pathetic tribute in the last rites so lately paid to his memory. This spectacle went to all hearts. It was one triumph the more for his undaunted optimism. No better comment could be made upon his career than to contrast the apparently insoluble enigmas which confronted the country when his active life began, or the impenetrable gloom which to foreign eyes hung over the land, with the unity and peace which have gladdened his closing hours. His best predictions were verified; and a kind providence allowed him to see the final conciliations which he had done so much to make real.

Mr. PEARSON read a portion of a chapter on the fugitive slave law in the District of Columbia in 1862–1863. When in

[1] *Revue des Deux Mondes*, 643. [2] *Ibid.* 647.

March, 1862, Brigadier-General James S. Wadsworth became military governor of the District of Columbia, in order to insure the freedom of the contrabands over whom he had control he adopted the practice of issuing "military protections" to them. But after the passage of the act emancipating the slaves in the District, fugitives from Maryland began to seek this new piece of free-soil territory. When the owners demanded the return of their property, some doubt arose as to whether or not the constitutional provision guaranteeing the right of an owner to a slave escaping from one State to another State, and the fugitive slave laws of 1793 and 1850 covered the case of a slave escaping from a State to the District of Columbia. The district court of the District of Columbia sustained the slaveholders, while Wadsworth took the opposite stand. In one case, in maintaining the validity of his military protections, he forcibly took from the jail a mulatto imprisoned there by order of the court. Through the remainder of the year 1862 fugitives were returned to their masters in spite of Wadsworth's efforts. In March, 1863, Congress abolished the district court, but the supreme court which it established was evenly divided as to its power to act when the first fugitive slave case was brought before it. A commissioner whom it appointed, however, heard such cases, and as late as November of that year returned slaves to their owners.

Col. THOMAS L. LIVERMORE said in the course of a running discussion that arose on Mr. Pearson's paper:

Our President's comment upon the practice, during the War of the Rebellion, of disregarding constitutional rights, recalls an instance of grave suppression of private rights, in the public interest, which had some connection with the topic of the paper which Mr. Pearson has read to-day.

General Charles P. Stone, a native of this State, after honorable command from the beginning of the war in the forces along the Potomac, was arrested in February, 1862, and until the following August was imprisoned in Fort Lafayette, upon an order from Washington. No charge of offence was made known to him, and, notwithstanding his request for trial, no court was convened and no excuse was made for the neglect to call one. His case attracted much notice and criticism.

It was rumored, and believed by many, that some official — to whom rumor attached sometimes the name of Secretary Stanton, and sometimes that of Senator Sumner — had instigated the arrest because of the conviction that fugitive slaves seeking refuge in General Stone's camp had been returned by him to their owners, and that he had treasonably communicated with the enemy. But nothing ever drew out official affirmation or denial of such rumors or disclosure of the cause or instigator of the arrest.

In 1867 Governor Blair, the "war governor" of Michigan, related to me an incident as of his personal knowledge — I think he said it took place in his presence — which throws some light on the case. He said that in an interview which President Lincoln gave to General Stone after his release from Fort Lafayette, the following colloquy was had between them. The General. "Mr. President, I have been arrested and imprisoned, unlawfully, without cause, without charges and without warrant, and I have been released without trial or judgment. This has stained my character and impaired my professional standing as an officer of the army. I have come to ask that a court shall be called to decide whether I committed offence that my reputation may be established by its judgment." The President. "General Stone, if, serving in front of the enemy, you were called upon to lead an attack in which you believed you would certainly meet death, would you hesitate to obey the order?" The General. "Certainly not!" The President. "Well, General, you must regard the present case as one in which, in like manner, you must make a great sacrifice for the nation's good, in giving up what you now ask." [1]

The Editor submitted copies of papers giving the details of a shipment of New England rum to the coast of Africa in 1794, taken from the MSS. of William Smith, a prominent merchant of Boston.

[1] The appointment of General Stone soon afterwards to important military service, and his long continuance in the same, were in effect his exoneration by the Administration.

DAWSON TO MONTGOMERY & CO.

LIVERPOOL, 24th Nov'r, 1792.

Messrs. John Montgomery & Co., Boston.

GENT'N, — I have receivd your favor of the 10th Ultimo and am Obligd for your kind Offers of Service, but you will be informd e're this the African [trade] is not yet Abolished. I am not at present in want of Shipping, but its probable I may send a Ship or Ships to your address to take in Rum such as you mention, to assort other Goods upon the Coast. If I should dispatch any Ship to you, or my agents on the Coast of Africa in my Name, to be Loaded with Rum etca, I shall rely on you to use your best endeavours for my Interest, and also to give the Vessels the quickest dispatch possible, and your Bills on me to the amount of whatever is Shipd for my Account will meet due Honor, and you will please to observe, I do not permit Goods to be Shipd on a Vessel of mine upon any pretence whatever but what is solely for my Own Account. I am

Gent'n Your Obed't Servant

JOHN DAWSON.

N. B. Bills to be drawn payable at Ninety days sight

If you want such a Cargo send the *Abby* or *Young Hero* of with slaves, and go for it I shall send the *Abby* amount by the *Hero;* it was not what I wish when she was under Sale, and give them notice to obey Orders or take the Consequence, no more Time with Slave Ship — youl observe the Proportion of water I wish. refer to the *Thomas* and the moad of geting it at Ambona

J. D.

ASHLEY TO MONTGOMERY & CO.

BADAGRY, 3d June, 1793.

GENT'N, — Agreable to directions receiv'd from John Dawson, Esq. of Liverpool as per Letter enclos'd, I have consign'd to your address the Brigg *Abbey*, Cap'n Winter, for a Cargoe good strong Rum; which I must beg of you to have put on board with all possible dispatch: as I shall be much in want, having been lately much disappointed in the arrival of our Liquor Ships from Holland, owing to the Warr between France and England.

I must beg your particular attention to this Cargoe, that the Liquor is good and strong: and that the Casks be all strong and well Iron bound. I also wish as many Ankers put on board as you possible can procure. I have given Cap'n Winter the plan and directions for a Wood House, similar to what you send to the W't Indies, which I request you will get made, and every thing properly

fitted. Your particular attention to this will be considerd a great favour. Whatever spare room the Brigg may have fill up with Lumber and Sparrs. Two Carpenters and an Armourer please also to procure, and if possible to be Engaged for Twelve months. A Quantity Ash Oars please also send.

I have given Cap'n Winter a Memorandum for several small Articles which I wish procur'd. You will please to observe that Frugality must strictly be attended to in respect to the Disbursements of the Vessell. Mr. Dawson is exceedingly particular in these points, and as this will be the first Vessell you have of his, hope He will not have the least cause to find fault. Cap'n Winter has now been out a long time from England, therefore the Brigg will stand in need of several Stores and Necessaries which he must have. He wants a new Windlass some Cordage, etc. but as little as can be well help'd.

By Cap'n Winter I send you One of this Country manufacturd Cloths, which I beg your prior Acceptance, it perhaps may be thought a Curiosity. I am Sir Your obd't Ser't

JOHN ASHLEY.

ASHLEY TO DAWSON.

SIR, — Since writing the Foregoing have receiv'd advices from to Leward of the great distress they are in for Liquor It has determin'd me to send the Brigg *Abbey* direct to Boston for an immediate supply; but You will observe I have been under the necessity of Promising Capt. Winter an Emoulument from You of £100, as he carry no Slaves off, to be consider'd in lieu of Commissions which he would have otherways acquird. I flatter myself You will not be displeas'd in this Arrangement as it will be the means of getting the Ship *Hero* off in Six Weeks from Hence whereas had this not been done the *Hero* must remain two or three Months Longer waiting for her Complement the Expence of which would soon have amounted to double that Sum. Added to which the *Old Hero* is by no means a fitt Ship to Remain long on this Coast.

I daily look for an arrival from Liverpool in expectation thereof, remain, Sir,

J. ASHLEY.

BADAGRY, 2nd June, 1793.

CAPTAIN WINTER TO MONTGOMERY & CO.

PORTLAND, Septr. 18th, 1793.

GENTLEMEN, — I left the Coast of Africa 25th June last, addressed by the Agent of John Dawson Esqr. Merchant Liverpool to your

firm in Boston for a Cargo of Rum and to return immediately to the Coast. On the 16th I arrived in this port in want of water & provisions, immediately after my arrival the Collector of the port Nathl. Fosdick Esqr. upon seeing my papers seized the Vessel, alledging for reason the papers were illegal. The circumstances are as follows. Mr. Dawson bought the vessel in Liverpool in 1792 from James Taylor late of Norfolk in Virginia. She is American built at Hampton in Virginia and as I am informed was seized at Liverpool and sold by the Custom House. She has no English Register, but a Bill of Sale from Mr. Taylor and a regular clearance from the Custom House in Liverpool. I mean to protest in the regular form against the Collector and for all damages. I shall wait upon you in a few days. I am Gentlemen your most obdt. Serv.

JOSH. WINTER.

P. S. I have the old American Register.

PROTEST AGAINST SEIZURE.

COMMONWEALTH OF MASSACHUSETTS.

Cumberland Ss.

By this public instrument of Protest be it known, manifest and declared unto all unto whom these presents shall come that upon the eighteenth day of September instant Joseph Winter Master or Commander of the Brigantine called the *Abby*, belonging to Liverpool in England; came, before me John Frothingham Esqr. a Justice of the Peace and notary Public for said County, duly admitted and sworn, and residing in Portland in the County aforesaid, and requested me the said Notary to make and enter a Protest. And upon the day of the date hereof; the said Joseph Winter, and Graham Steel Mate of the same Brigantine *Abby*, came and appeared, before me the said Notary, and on their solemn oaths, do declare and say, That upon the twenty fifth day of June last past they sailed from the coast of Africa in said Brigantine, bound for Boston in the Commonwealth aforesaid addressed to John Montgomery & Co. That at about one o'clock in the morning of the seventeenth inst: they came to anchor, in the harbour of Portland aforesaid being short of water and provisions. That early in the morning the said Winter came on Shore at said Portland, and on the wharf was met by a person calling himself an officer of the Customs, who requested to see his papers, and told him he must go to the Custom house with them, which he the said Winter accordingly did, and delivered them to the Collector. That soon after the Collector (Mr. Fosdick) put some hands on board the Brigg and

ordered her to be bro't up, and requested the said Winter to direct his people to bring her into the dock; otherwise *he* should be under the necessity of *taking her* up, as her papers were not legal. The said Winter replied that he had already sent down a boat with such orders, as his cables, he apprehended, were not sufficient to hold her, where she then was. That about sun setting the Brigg was along side the wharf, Mr. Fosdick, who had previously informed the said Winter that he had seized the Brigg, immediately ordered her sails to be unbent, her ropes to be unroved, yards to be struck, and her guns to be put on shore; which was immediately set about by persons in the employ of the said Collector, and the said Winter, was altogether dispossessed and deprived of the said Brigantine *Abby*, and she now remains in the custody and possession of the said Fosdick. Wherefore these Appearers do Protest and I Notary Public as aforesaid, at their request, do hereby protest against the said Fosdick, for seizing and detaining the said Brigantine as aforesaid, and for all the losses, damages, costs and charges, that have arisen, or may arise to these Appearers, to the Owners of the said Brigantine *Abby*, or any others therein concerned, by reason of her being seized and taken out of the possession of the said Winter by the said Fosdick, in manner, as herein before mentioned and set forth.

JOSH. WINTER
GRAHAM STEEL

In testimony whereof I have here unto set my hand, &
SEAL affixed my Seal of Office at said Portland the nineteenth day of September 1793.

JOHN FROTHINGHAM, *Noty Public*

WINTER TO SMITH.

SIR, — Mr. Pribble and Me have been With Mr. Fosdike the Collector, who Informs us that he Seizd the *Abby* for Reason that her Papers were Illeagle, and Sais it is Out of his Power to Deliver her up as he has Libeld. her. I am Stil of an Opinion that the People Can Recover their wages from the Ship and that i have no Right to Pay their Wages. Supposing that Mr. Dawson was not Able to Pay them, and no Merchant in this Country that would take uppon them to Advance Any Money on Account of Mr. Dawson I Should then Suppose that the Ship Would be Obliged to Pay them, I Should be Exeedingly Obligd to you to Mention the Case to Mr. Adams the Attorney and Pleas to Let me know as Soon As Possible. I Remain your most Obdt. hbl St

JOSH. WINTER.

PORTLAND, Octr. 2nd, 93.

PREBLE TO SMITH.

PORTLAND, Octor 3, 1793.

DEAR SIR, — I recd your favr. per Cap Winter the Collector of this district refuses to give the Vessell up. I have advised the Cap to Bond for her I find the Wages due to her People are considerable. and the attorneys here say the Vessell is answerable. She must be apprized with that Incumbrance and as the Vessell is not fit for any trade but the one she has been in I think her value here will be considered very small, which cannot amount to much if she is Condem'd which I think she will not be Mr Fosdick says he has detaind her wholly on acct of her Register. I advised the Capt to write you but he being very anxious to Accomplish his Business thinks best to go himself. I have paid him the One hundred and Twenty Pounds Sterg and have his draft on you for that amt if you agree to have the vessell Bonded you will get some other Bondsman beside myself I am willing to be one provided you Indemnify me I am Your Friend and Hum Servt

EBEN PREBLE

Endorsed, M^r^ William Smith Merch^t^ Boston per Capt Winter

SALE OF SHIP.

To all people to whom these presents shall come Know ye that I Joseph W. Winter now residing in Portland in the county of Cumberland and commonwealth of Massachusetts Mariner for and in the name and on the behalf of John Dawson of Liverpool in the kingdom of Great Britain Merchant in consideration of the sum of three hundred pounds lawful money of said commonwealth to me in hand paid by William Smith of Boston in the county of Suffolk and commonwealth aforesaid Merchant the receipt whereof is hereby acknowledged have and by these presents do for and on the behalf of the said John Dawson give grant bargain sell assign and deliver to the said William Smith his executors administrators and assigns forever a certain ship or vessell now at anchor in the harbour of Portland aforesaid and now called the *Abby of Liverpool* together with all the tackle apparrel furniture and appurtenances of the said ship or vessell of every kind name or nature to the same belonging which ship or vessell is now a Brigantine of the burthen of one hundred and twenty five tons according to the admeasurement of James Lunt Esquire Surveyor of the said Port of Portland taken and ascertained according to the rules prescribed by the laws of the United States of America in that case made and provided which said Brigantine was originally built in the form and denomina-

tion of a Schooner in the year of our Lord one thousand seven hundred and eighty five at Hampton in the State of Virginia and within the said United States whereof Thomas Willock of the borough of Norfolk in the said State of Virginia Merchant was the sole owner and was afterwards to wit on the sixth day of February in the year of our Lord one thousand seven hundred and ninety, sold by the said Thomas Willock by his agent James Taylor to the said John Dawson by a bill of Sale thereof duly executed and for a valuable consideration which said ship or vessell before the sale and conveyance aforesaid by the said Thomas Willock to the said John Dawson and before the said Ship or vessell was altered by the said Dawson from the denomination of a Schooner to the said denomination of a Brigantine was duly registered as a ship or vessell of the said United States at the port of Norfolk and Portsmouth in the said State of Virginia a certificate of which registry is in the words and figures following, that is to say

"N° nine.

Seal

Alex^r Hamilton Sec^y of the Treas^y

Seal

Wm Lindsay Coll^r

Seal

Philemon Gatswood N. Off^r

"In pursuance of an act of the Congress of the United States of America, entitled, an act for registering & clearing vessells, regulating the Coasting trade & for other purposes —

"Thomas Willock of the borough of Norfolk in Virginia Merchant having taken & subscribed the oath required by the said act & having sworn that he is a citizen of the United States and sole owner of the ship or vessell called the *Abby* of Norfolk whereof John M^cHeron is at present Master & is a citizen of the United States & that the said ship or vessell was built at Hampton in Virginia in the year one thousand seven hundred and eighty five — And Daniel Bidenger Surveyor of this District having certified to us that the said ship or vessell has one deck and two masts that her length is sixty feet her breadth nineteen feet her depth six feet six inches & that she measures sixty three tons that she is a square sterned vessell has no gallery and no head — And the said subscribing owner having consented and agreed to the above description and measurement and having caused sufficient security to be given as is required by the said act the said Schooner has been duly registered at the Port of Norfolk & Portsmouth in Virginia.

"Given under our hands and seals of office at

the Port of Norfolk and Portsmouth this third day of December in the year one thousand seven hundred and eighty nine."

To have and to hold the said ship or vessell to him the said William Smith his executors administrators & assigns forever together with all & singular the tackle apparrel furniture and appurtenances to the same belonging. And I the said Joseph W. Winter for myself and for and on the behalf of the said John Dawson our executors and administrators do hereby covenant to and with the said William Smith his executors administrators and assigns that in the peacable possession of the said ship or vessell by the said William Smith to be had & enjoyed I the said Joseph W. Winter will forever warrant and defend against the lawful claims of all persons whatsoever.

In witness whereof I have hereto set my hand and seal this eleventh day of December Anno Domini one thousand seven hundred and ninety three.

JOSH. W. WINTER

Sign'd Seal'd and Deliver'd in presence of us
The word "three" In the sixth line being first interlined
DAN'L DAVIS.
JNO BAGLEY, Jun.

WINTER TO HAMMOND.

PORTLAND IN MASSACHUSETTS, Decer. 10, 1793.

SIR, — Having met with much difficulty and been put to great expence since my arrival in America and in this place more especially, I take the Liberty to state to you the particular circumstances, and to request that you will take the proper steps to obtain such redress as you may consider me entitled to.

On the 17th of September last, I arrived in this port in the Brigantine *Abby*, which I then commanded, from the coast of Africa. This Vessell was owned by John Dawson Esqr. a Merchant of Liverpool in England, and I was ordered from the coast of Africa to the port of Boston for a cargo of Rum.

She was originally a Virginia built Schooner of 63 Tons, built at Hampton in Virginia in the year 1785, was then owned by Thomas Willock Merchant of Norfolk and registered in the port of Norfolk according to the laws of the United States; and was then to all intents & purposes an American Vessell.

In the year 1790 my owner, Mr. Dawson, purchased her in Liverpool; gave £300 sterling for her, and received a regular Bill of sale of her, from James Taylor, Mr. Willocks agent in Liverpool, when

the vessell and Bill of Sale were delivered him; and as by the laws of England, an English register could not be obtain'd she has been navigated by virtue of the bill of Sale and the American register ever since Mr. Dawson owned her.

When she became the property of Mr. Dawson, it was convenient for him to have her enlarged and rigged into a Brigg, which was done immediately after the purchase. I have sailed in the vessell ever since and have been admitted to entries & clearances at the ports of Lisbon and other places with the before mentioned papers, without any difficulty untill my arrival at this port. When I reported the vessell at the Custom house here, the Collector of the port immediately seized her for making use of these papers; — she was accordingly, with all the appurtenances of the vessell (having no Cargo on board) on the 17 of September last taken out of my hands; and I have been detained here with my Ships company, untill the 7th of this month, when she was ordered to be restored to me by a decree of the Maritime Judge of this district.

My vessell was libelled for having made a fraudulent use of the register above mentioned; and the libel was founded upon the act of the Second Congress, chap. 45, sect 27th in the trial before the judge, there was not the least evidence produced against me to prove that I had attempted any fraud on the revenues of the United States. On the contrary, it was admitted by the libellant and his Council that I never did either willfully or ignorantly commit or attempt any such thing. It was fully and satisfactorily made to appear that when I requested the Collector to enter my vessell, I produced the Bill of sale with the register, whereby it appeared that the vessell was British property.

I proved in Court that when I first came on Shore I told the Inspector of the port that I was owned in Liverpool by Mr. Dawson I told the same to divers other Gentlemen of this place who swore to the fact before the judge. And I proved also that I told the Inspector before I went to the Customhouse, when I produced him the Bill of Sale and register together, that I did not make use of the register, as a proper register of the vessell but that the Bill of Sale was what I had always used to enter and clear by, & that I only carried the Register to shew that the Brigantine I then commanded, was the same American bottom that Mr. Dawson purchased of Mr. Willock. As the Collector did not nor could not prove that I ever attempted to make use of the register to cover the vessell, or to make it appear that she was owned and navigated in any other manner than what was really the case. And as it fully appeared that there was no fraud either committed or ever meditated, but on the contrary, as I always said she was British property and always ex-

pected to pay the duties and customs which belonged to Foreigners to pay. The judge did not hesitate to order the vessell to be restored to me.

But this is but a poor compensation for the delay, expence and damage I have sustained in this business. My vessell, myself and Ships company have been idle and upon expence for three months. The rigging etc of the vessell is much injured, my owner will suffer upwards of £1000 loss in the rise of Rum since my arrival and detention here, and in addition to all this, it is impossible to say what damages he will suffer on the Coast, as he has now seven Ships waiting for the Cargo which I should have had ready to deliver them there, if my vessell had not been seized. If I had either done or intended any thing to the prejudice of the laws of this Country I might have suffered all this for the folly of such a step. But there is not a Merchant in this place nor any other person that I can hear of (excepting the Custom house officers) but what are of opinion that I am entitled to damages. I am told by my friends here that all the Collector ought to have done was to have taken the register from me and sent it on to the head of his department, to be cancelled; and that he had no right at all to stop my vessell. But the Collector is unable to make good the damages; and if he was it is a doubt whether they could be recovered of him as he is protected in the execution of his office by the laws of the United States. I therefore conclude that my damages ought to be demanded of the government. But I submit to you, Sir, the mode in which they ought to be applied for. I can at any time transmit to you the records papers and evidence from the Maritime Court of this district to prove the truth of the foregoing statement. And if it should be your opinion, Sir, that I am entitled to damages in behalf of my owner, I pray you to take such steps for the recovery of them as your wisdom shall dictate As I shall shortly be bound to the Coast again (if I can be fortunate enough to escape another seizure) I beg that you will correspond on this subject with Mr. William Smith Merchant of Boston, who will forward you such papers, and give you such further information as you may hereafter direct. I have the honor to be with due respect, Your most humble Servant

JOS. WINTER.

Copy of the original sent by post, 20 Jan^{y} 94
Addressed: His Excellency Geo. Hammond Esq^{r}
Philadelphia

Protest of Winter.

COMMONWEALTH OF MASSACHUSETTS.

Cumberland Ss.

By this public instrument of Protest be it known, manifest and declared unto all to whom these presents shall come; that upon the day of the date hereof, before me John Frothingham Esqr. one of the Justices of the Peace and Notary Public for said County duly admitted and sworn, came and appeared Joseph W Winter, and on his solemn oath doth declare and say that upon the twenty fifth day of December last past, He received orders from the Owner of the Brigantine *Abby*, William Smith Esqr. of Boston, to apply to Nathl. F. Fosdick Esqr the Collector of the Ports of Portland and Falmouth, for a Register for said Brigantine *Abby*. That he accordingly, with Mr. Ebenezer Preble Merchant of said Portland, the Agent of the said Smith for this purpose, did apply, on the twenty sixth day of December aforesaid, to the Collector aforesaid for said Register, and there the said Preble and the said Winter did demand of the said Collector, a Register for said Brigantine, which he then and there did altogether refuse to make out and deliver. Wherefore the said Winter doth hereby protest, and I, Notary Public as aforesaid, at his request, do protest against the said Collector for his refusal to make out and deliver said Register as aforesaid; for all losses, damages, seizures, hindrances, expences, detentions and injuries, of whatever nature they may be, which may happen and arise, in consequence or by reason of the refusal of said Collector, to make out and deliver the Register aforesaid. In Testimony whereof I have hereunto set my hand and affixed my seal of Office at Portland in the County aforesaid the fourth day of January 1794.

John Frothingham, *Not^y Public*

[seal.] Josh. Winter

Instructions to Captain McNeill.

Boston, 7th Feby, 1794.

You being Master of the Brig *Abby* now loaded [1] and ready for Sea, my Orders are that you embrace the first fair wind and proceed

[1] In February, 1794, the *Abby*, William McNeill, master, received her cargo for the coast of Africa, consigned to Captain Joseph Winter, a passenger in the brig, and John Ashley, at Anamaboa. This cargo comprised 138 hogsheads and 46 tierces of New England rum, containing 17,906½ net gallons. This, valued at three shillings a gallon, amounted to £2685. 19. 6, and with 1862 feet of oars, five

for the Coast of Africa, you will endeavour to make the Coast as farr to Windward as Cape Monte. Capt. Winter who goes with you in the Brig is well acquainted with the Coast and has the Direction of the Cargo, to sell what he may think proper till the Brig arrives at Anamaboa, near the Bite of Benin. you will therefore follow Capt Winter's directions during the Voyage. on your arrival at Anamaboa the Cargo is to be delivered to Mr. John Ashley, after the Sales of the Cargo is compleated, you will follow Mr. Ashley and Capt. Winter's directions, to return with the Brig to this port, stoping in the West Indies or at any other Ports as they may direct. Should Capt. Winter and Mr. Ashley sell the Brig, you will then discharge your Seamen on the best terms you can, and return yourself on board some vessell bound to this Continent. If you shou'd meet with employ for yourself on the Coast, you will forward me the Register of the Brig by the first safe conveyance, You must remember at all events Registers are to be return'd whenever Property is chang'd. You will in all your proceedings during the Voyage follow the directions of Mr. Ashley & Capt Winter. be frugal in your Disbursements make all possible dispatch and write me by every opportunity of your proceedings. I am with wishing you a pleasant Voyage Yours,

W. SMITH.

I acknowledge the above to be a true Copy of the Orders I have this Day. Received and I promise to comply with them.

WILLM. M. MCNEILL.

Signal Pendent at F. I. GM. Head.

I agree to allow you Six pounds 13/4. for your Wages per Mo. and Fifty three pounds 6/6 LM for the Vo. in lieu of Priviledge, Commissions, &c.

WM. SMITH.

SMITH TO ASHLEY.

BOSTON, 7th Feby. 1794.

SIR, — This you will receive by Capt. Joseph Winter who goes in my Brig *Abby* Capt William McNeill for your Coast with a Cargo of excellent Country Rum this Cargo I have consignd equally to Capt Winter and yourself for Sale. Capt. Winter has the Invoice and Bill of Loading of the Cargo, as it is all of one article I have

barrels of tobacco, cooperage and commissions, the total reached £2954. 19. 10. Smith had made cash advances to Winter of £1286. 17. 10 while the ship had been in these waters. The insurance rate on the ship was three per cent. The rum came from Medford, and hauling to Boston cost three shillings a hogshead and two shillings a tierce.

directed him to stop at the Windwd. Coast as farr as Cape Monte, and sell part of it for such articles as may be more saleable at Anamaboa and Bite of Benin. As this Cargo is in fine Order and few Ships have gone from this quarter I expect it will be in such demand as to meet a quick Sale and a great price and that the Brig will not be detain'd more than 2 or 3 Weeks on the Coast, the Net Pds. of the Cargo, I wou'd have returnd in good Bills of Exchange on England, Gold Dust, Hides & Ivory. If you can meet with a good chance to sell the Brig for One thousand pounds Sterlg in good Bills on England at 60 or 90 Days, I shou'd prefer her being sold to returning back here. If you do not sell her I must request you to Dispatch her as soon as possible that she may be here early in the Summer for another Cargo of Rum. If you have a good opportunity for England send the first of each sett of Bills you may have to my friends Messrs Thomas Dickason & Co. of London indors'd for my account. By the Laws of this State no Vessell belonging to it, is sufferd to bring off any Slaves from the Coast of Africa under the penalty of £50 for each Slave and £200 fine for the Ship; you will not therefore suffer any to be taken off in the *Abby* as it is so contrary to my principles and the Laws of the State.

I have sent you by the *Abby* Six Kidds Beef and one of our Country Cheeses which I beg your acceptance.

[Wm. Smith.]

Instructions to Winter.

Boston 7 February 1794

The Brig *Abby* Capt William McNeill in which you are to proceed for the Coast of Africa, is now ready for Sea, with this you will receive Invoice and Bill of Lading of the Cargo on board the Brig which is consign'd equally to Mr. John Ashley of Anamaboa and yourself to sell for my account as the Brig will run down the Coast a great distance and the Cargo is all of one article you have my directions to begin as far to the Windward part of the Coast as Cape Monte, and trade with the Shipping along the Coast, such part of your Cargo, as you may think necessary for articles that will make a better assortment for the Trade at the Gold Coast and Bite of Benin. on your arrival at Anamaboa, you will give Mr. Ashley an account of your proceedings and deliver him all that you may have on board. the Net. Pds of the Cargo I woud have return'd in good Bills on England at 60 or 90 Days Date, Gold Dust. Hides. and Ivory. but if you can meet a good chance to sell the Brig for One thousand pounds Sterl^{g} pay^{ble} in good 60 Days. Bills on England I should prefer her being sold to returning back

to this port, in this case Capt McNeill will discharge his Hands on the best terms he can and if he does not return himself he must send me back his Register by the first safe conveyance. If there is a good oppertunity for England remit the first of all the Bills you take to my friends Messrs Thomas Dickason & Co. London indors'd for my account. you must make all possible dispatch on the Coast that the Brig may be back here early in the Summer. You are sensible that the Brig sails at a great expence and that the greatest economy in all your Charges is necessary to leave an handsome proffit. you must procure a Certificate to be sign'd by some Merchant at the Factorys or American Masters that you landed your Cargo in Africa in order to clear the Bond for the Excise. get duplicate certificates and if you do not return yourself send them by the first opportunitys. By the laws of this State no Vessell belonging to it, is sufferd to bring off any Slave from the Coast of Africa under the penalty of £50 for each Slave and £200 fine for the Ship; you will not therefore suffer any to be taken off in the Abby, as it is so contrary to my principles and the Laws of the State. With wishing you a pleasant Voyage, I am Y^r^ H Ser^vt^

[Not signed]

I acknowledge to have recd. a Copy of the above as my Instructions with which I promise to comply.

JOSH. WINTER

FROM CAPTAIN WINTER.

Agreable to directions from Mr. John Ashley of Badagry on the Coast of Africa and agent for John Dawson Esqr. of Liverpool, I left the Coast of Africa for Boston North America to load with a Cargo of Rum consign'd by Mr. Ashley to Messrs. John Montgomery & Co. according to Mr. Dawsons Orders and Letter to Messrs. Montgomery, hereunto annex'd. on my arrival at Boston Mr. Montgomery had left this place for Spain. I therefore have apply'd to Mr. William Smith, the Friend and Agent of Mr. Montgomery for a Cargo, who has on the Credit of Mr. Dawson's Letter to Messrs. John Montgomery & Co., dated Liverpool, 24 November, 1792, hereunto annex'd, supply'd me with a Cargo of Rum, Cash, and Sundry Disburstments to the Amount of Four thousand, two hundred, forty one pounds 17/8 sterling, as by accounts this Day settled, for which sum I have this Day drawn on John Dawson Esqr. of Liverpool at ninety Days date in two Setts of Bills: one Sett for two Thousand pounds Sterling, the other Sett for One Thousand one hundred and eighty pounds Sterling. As a Collateral Security for the payment of said Bills, I have signed an In-

voice of the above Cargo, to be sold on the Coast for the account and Resk of the said William Smith, the Net Proceeds I promise to hold at his disposal, 'till I receive intelligence of my said Bills being paid. I likewise hold myself answerable for all damages that may at any time arise on said Bills.

Dated at Boston, Fifteenth Day of February, One Thousand seven hundred and Ninety Four.

JOSH. WINTER.

Witness
EDWARD CRUFT.

SMITH TO DAWSON.

BOSTON, 11th June 1794

SIR, — I have already wrote you by this conveyance to which refer you. I have since recd. your esteem'd favours of 14th and 15th April I mention'd in my Letter of 19. Feby. that I shou'd forward you the papers by the first oppertunity soon after an Embargo was laid by our Government and no direct oppertunity has presented for England untill the present. At that time I did not think it prudent to resk papers, which if taken near this Coast might expose the property. Cap Winter inform'd me that he had sent, a particular account of his proceedings at Portland, to his arrival here. with the Brig. I have not a Copy of the proceedings on the Trial, but will procure them as soon as possible from the Office which is at some distance from this place. Cap. W. I presume has inform'd you of the plan of his present Vo. the Insurance you mention was made by agreement with Cap. W. a Copy of the Policy you have inclos'd. the Original it is proper I shou'd keep, in case of a Loss to recover of the Underwriters. the Comss. of 1-2 per C^{t} is customary here on making Insurance. my whole Comsss. on this Business are but a small compensation for the advance of so large a Sum at a time when Money is so valuable at this place. Cap. W. peculiar situation and a wish to assist a correspondent of my friend Mr. Montgomery were my motives for undertaking this business. as to indemnification for the Loss and detention at Portland, I think it is justly due, but to go thro' a Law Suit with the Officers will be expensive and the Issue very uncertain. Shoud the action go in your favor it is doubtful whether there wou'd be property to pay. and if the Brig returns here under particular circumstances, they might take an oppertunity to revenge themselves. I have a Trunk and a number of papers belonging to Cap. W. which I shall keep untill I hear from him, if he does not return here I shall forward them to Liverpool By the Laws of this State, the carrying of

Slaves from Africa to the West Indies is prohibited and the Owner or Consignee liable to a large fine. If you think it for your Interest to keep a Vessell between this place and the Coast it may be done, provided no Slaves are ever taken on board. Shou'd you want a Qty of Rum shipt for the Coast I will load any Vessell you may send, or ship it on Frt. for you on the best terms I can procure a Vessell. The Cargo that Cap. W. has taken was exceeding good, Rum has since risen so high, that as good a Cargo cou'd not now be purchas'd under 3 s. Stg. per Gn. As soon as our W. I. Trade gets again into a regular Channel it is probable it will be at the old prices. I am with Respect Yr M. H Servt

WM. SMITH

(Copy) Origl. Ship Mary. Cap. Cunningham Via London.

SHIP'S BOND.

Trinidada,

Whereas, Mr William Smith, Mercht. in Boston, in the United States of America, And William McKenzie McNeil, late Master of the Brig *Abby*, did give Bond, the former in the Penall Sum of Four Hundred Dollars, And the Latter in the Penall Sum of Eight Hundred Dollars that the Register Granted to the said Brig *Abby* and dated in Boston the Sixth day of Febry 1794 and No. 31, should not be used for any other Vessell, Except the said Brig *Abby*, Or Employ'd for Any Illegal Purposes, I do therefore hereby Bind and Oblige myself, my Heirs Executors Administrators and Assigns, to save and for ever Keep Harmless, the said Wm. Smith and William McKenzie McNeil, for all Damages or Molestation that may Accrue to them for and On Account of their having signed and Executed said Bond 20th. Augt. 1794.

JOHN DAWSON by His Attorney
JOHN MCBURNIE

SMITH TO MCNEILL.

the inclos'd Letter you will forward to Cap. Winter if you meet a good oppertunity you will at the same time write him of the necessity of his returning the papers. if you stop at Trinadada it is probable you may meet him. if you can make a profitable exchange of any Part of your Cargo for Sugar you may do it

SMITH TO WINTER.

23. Decr 1794.

Yours from Trinadada Via Portsmt. I recd. Cap. McNeil arriv'd & has recover'd his Health. Rum is so high here that it will be no

object for you to return & the danger of meeting with trouble at this Port will be great. if you cou'd inform me at what place to forward the papers that you left I wou'd send them. then you might inclose me the Brig's Papers and accounts by the first safe conveyance.

Mr. FORD submitted the following papers presented by Mr. SAMUEL S. SHAW as part of the Samuel Phillips Savage collection.

REV. EBENEZER PEMBERTON TO SAVAGE.

BOSTON, 23 March, 1702/3.

SIR, — As I trust absence has not obliterated your affectionate regards for your friends; so I am willing to give you a demonstration that it has not made us unmindfull of yourself: I look upon myself [as] under many obligations to seek and promote your true prosperity; and am thirsty after occasions to signalize my good will, and my just Sollicitude for the advancement of your best good. It administers no small satisfaction to me, that I have so good reason to believe that God has already by his Holy Spirit taken possession of you for himself; and that he will never desert you, or quit the conduct of you; for He that has begun a good work will perfect it. Yet as it becomes you to maintain an holy jealousy over yourself, so you must suffer your friends to be peculiarly sollicitous for you, when Providence has called you to sojourn in a place of uncommon temptations; against which nothing but a firm resolution, great watchfulness and circumspection, fervent prayer to God for Grace, will be ever able to give you the victory; In which methods I hope you will unfaintingly pursue the race of Christianity, which you are engaged to run by the uncontrolable command of God your Saviour, your own solemn vows, and undoubted interest both as to time and eternity.

The place God has caused your lines at present to fall in is notorious for dangerous errors both as to Doctrine and worship: on the one side painted formalists may tempt you to quit the power of Godliness for those things that are but empty complements, those outward rites and forms, of which God will one day say, Who required these things at your hand? and will apear to be but the false paint that the vain Superstition of man has corrupted his worship with all: on the other side there are the giddy enthusiasts, who make [it th]eir great business to ridicule and contemn the Christian Sabbath, ministry, and sacraments; all which are the valuable gifts of our ascended Jesus; and which are the appointed

means according to the governing wisdome of our Saviour, by which wee are to enjoy happy communion with God in Grace, love, holiness, and consolation; which helps the most improved Christian will need till he comes to the Society of just men made perfect; which will not be till he has put off the raggs of mortality. Against the infection of these I know no better method, than reading the word of God, constant prayer to God, a resolution not to be swayed by worldly Interests which commonly are against Christ and his wayes; as also a recourse to your own experience of the presence of God in those wayes of Religion, which you profess. As to any other Doctrine, but what you have received according to the sacred Oracles, reject it, remembering what the Apostle advises 1 *Gal.* 8. 9. That if an angel from heaven bring any other Doctrine Let him be an accursed. I hope you have thro' Grace bought the truth, see that you do not sell it; He that barters away the least truth for error will be a looser in the Conclusion what ever the present terms may be: Suffer not yourself to be laughed out of your religion by such as are utter strangers to it in it's power, purity and beauty. Let no man take your Crown: Labour to keep up your love to, and desire after Communion with God in his ordinances, when you are providentially debar'd them. And to that end read much and often 42. *Psl.*, 63. *Psl.*, 84 *Psl.* In which you will find the breathings of the devout Psalmist after God's house and ordinances. Sir, I hope you will pardon my freedome which proceeds only from a synceer respect to your Person, and a just concern for the good of your Soul, which I cannot but look on my self, as having a particular charge of: The obligation of which will alwayes cause me to bear you and your Interests on my heart before God; seeking a blessing on your person, and conduct in all your affairs from heaven; to whose smiles I commend you, and Subscribe my self, Sir, Your affectionate friend,

EBEN'R PEMBERTON.

Sir, you doubtless are molested by the ill treatment that Mr. Willard has received from Mr. Keith in a late print of his; which I understand is [held] up among you as unanswerable. I tho[ught it] good therefore to advertize you that there is an Answer to the paper written, and just gone to the press.[1]

[1] In July, 1702, George Keith wrote a paper in Latin addressed to Rev. Samuel Willard, which was sent to him shortly after commencement, and later translated into English and printed at New York by William Bradford, with the title *A Refutation of a dangerous and hurtful Opinion maintained by Mr. Samuel Willard, an Independent Minister at Boston.* Willard replied.

Note.

1742. I remember to have heard a Story told me by the Revd Mr. Mather Byles of this Town, viz Boston, of a Woman who is now alive here, but desires to be nameless, Concerning Some Visions she had when in a Trance, it is as follows.

About 50 years ago there was a great Revival of the Work of God at the No End, at the Old No. Church out of which Society there was a No. of young Women in No. about 16 who used to meet privately for divine Exercises, One of which (who was the Above Woman) was under Considerable Concern of Soul and accordingly apply'd herself to young Docter Mather for Advise, who while she was in his Study with him fell in a Trance, which left her Body in a Senceless Frame without the least Appearance of Life from any of her Sences, her Eyes being fix'd wide open, in this Posture she Continued Some time, and when she came again to herself she gave the following Acco^{t}, "that at such a place, pointing at a p[ar]t of the Room, she saw a most Glorious Appearance of An Angel in a Shining Apparel, whose Countenance and Vestments far Exceeded Language to Express, with whom she had some Conference, which I cant Justly remember so shall forbear, she accordingly asked him what use she might make of it. he desired her to be very Cautious fearing it was a Diabolical Appearance and so she left him. he accordingly acquaints his Father viz Mather the Elder of it, who by all means seem'd to think with him that it was a Satannical Delusion. there happen'd something as a proff of that thing for when the Woman Came to her self her Eyes was quite Soar, as a person that had attentively lookt at the Sun, and so Continued a long time occasion'd as they thought by the Innexpressable Lustre, but I'm rather apt to believe it occasion'd by a Constant Strain on the Nerves of the Eyes. Sometime afterward at another of the Religious Meetings she fell into another of these Trances but as to the particular appearance (tho there was personal Appearences then) I cant well remember what they were, but she was told that "Our Friend Mather is Apt to doubt we are good Angels, but tell him for to Convince him that we are these things, for he'll be here in half an hour, that he's now Studying Such a Sermon on Such a Text, and that such and such Thoughts have occur'd to him lately, for we are assisting him in his Composure of and lately Suggested such thoughts to his Mind, which things all prov'd true for the Doctor came and declar'd he was thinking a sermon on that text etc., And because we find that Mather the Elder is troubled at our Appearences, and is apt to doubt of our divine Mission, we will because we

loath to grieve him, never visit you any more, but only remember as a Proff that our Mission is divine that these three following Occurances shall come to pass, viz that a Jew whom Mather the Elder has taken great Pains with to Convert to the Xtian Faith, shall be Converted, 2d. that a blind Woman One Ransford, shall see, and 3d. that Mather the Elder shall die in England, which three things never was veryfyed. for the Jew went over to Jamaica and dyed a hardned wret[c]h, this Ransford dyed as blind as she ever was, for Mr. Byles thinks he was at her when she dyed. and 3d. Mather the Elder Every One knew dyed at Boston in N. England.

There [is] likewise a Story of Luther, of A Glorious Appearance on a Cross on the Close of a day of Fasting and prayer, which he was Just going to worship.[1]

THOMAS ROBINSON TO ————.

(Copy.)

WHITE HALL 11th November, 1755.

SIR, — The Acc'ts which have been transmitted of the Success of his Majestys Arms, in the Action near Lake George on the 8th Sept'r and of the Considerable Reinforcements sent by the New England Collonys to General Johnson which there is great reason to hope will Effectually Enable him to pursue the Advantage he has Gained and Recover and support his Majestys Just rights, have been laid before his Majesty, and I have Received the Kings Commands to Express to you his Majesty's sense of the great Zeal and Spirit which the Collony under your Government has Manifested in so Carefully and Effectually promoting this Necessary and Important service. His Majesty at all times desirous of Shewing marks of his Royall favor and Regard to those who Emminently Distinguish Themselves in the Defence of his Rights and in their Country's Service, is pleased to Order that this Letter be Communicated to the Councill and Assembly of the Government, and that they be Acquainted that his Majesty will take an Early Opportunity of Laying the perticulars of their Meritorius Conduct upon this Great Occasion, before his Parliament; and as his Majesty is Sensible that the Expences that the New England Collonys have Incurr'd, tho Chearfully born, Cannot but have been burthensome to his Brave and Good Subjects, his Majesty will at the same time Recommend to his Parliament to Grant to them such Assistance

[1] In an unknown hand, and found among the Savage Papers.

In Consideration of the Charges They have born, as their Circumstances shall require, and as will Enable then Vigorously to pursue the great and Necessary Work which has been so Chearfully undertaken and hitherto Conducted with so much Spirit Zeal & Resolution. I am Sir your Most obedient Hbl. Serv't,

THOS. ROBINSON.

DECLARATION.

Whereas in a Pamphlet [1] entitul'd a Review of the military Operations in N. America &c printed in London 4to, Page 31st, is this Passage "The Scheme of a naval Armament on Lake Ontario, projected by Lieut: Governor Clark, before the late War, submitted to the then Ministry, and now strongly recommended by the Commissioners of the Massachusetts Bay, by some means or other happen'd to be hinted without Doors: Mr. Pownall intent upon rising into Significance among the Colonies, chose not to slip so favourable an Opportunity of distinguishing himself as he could now lay hold of from these whisper'd Intelligences: He accordingly drew up some loose, indigested Proposals with respect to American Affairs. Among other trite Sentiments, he urg'd this Scheme as a new unthought of measure, absolutely necessary to secure the Command & preserve the Furr Trade of those Inland Seas. This He deliver'd to some of the Congress [2] to be Communicated; and afterwards transmitted a Copy to England, challenging to himself the sole Merit of being the Original Author of so useful and necessary an Expedient."

We the underwritten Commissioners appointed by the Governor of the Massachusetts Bay to attend the Congress at Albany on the Part of that Province do hereby certify, that we well remember that Proposals in Writing were offer'd to the Board by the Lieut: Governor of N. York, which he acquainted the Board he had receiv'd from Mr. Pownall who was then at Albany, that said Proposals were judg'd by the Board to be of such Importance as to deserve the Thanks of the Board, which were accordingly voted to be given him. That we do not remember to have heard it suggested, either at said Congress, where the Lieut: Governor and some of the Council of N. York were present, nor at any time since, except

[1] By William Livingston. It was printed in London in 1757 and reprinted in Boston in the following year. The extract will be found on p. 26 of the American edition.

[2] Albany Congress of 1754.

from the above recited Paragraph, that Mr. Pownall had borrowed the said Scheme from any Person or Persons whatsoever.

sign'd SAMUEL W[EL]L[E]S
THOS. H[U]TCH[INSO]N
JOHN CH[AND]L[E]R
OLIVER P[A]RT[RID]GE
JOHN W[O]RTH[INGTO]N

Dated at Boston this 4th of Feby. 1760.

HENRY BASS TO SAMUEL P. SAVAGE.

BOSTON 19 Decr. 1765.

HON'D SIR, — On seeing Messrs. Edes & Gills last mondays Paper, the Loyall Nine repair'd the same Evg.[1] to Liberty Hall, in order to Consult what further should be done respecting Mr. Oliver's Resignation, as what had been done heretofore, we tho't not Conclusive and upon some little time debating we apprehended it would be most Satisfactory to the Publick to send a Letter to desire him to appear under Liberty tree at 12 oClock on Tuesday, to make a publick Resignation under Oath: — the Copy of which the Advertisement, his Message, Resignation and Oath you have Inclos'd.[2]

The whole affair transacted by the Loyall Nine, in writing the Letter, getting the advertisements Printed, which were all done after 12 oClock Monday Night, the Advertisements Pasted up to the amount of a hundred was all done from 9 to 3. oClock.

You also have a Copy, of what he said to the Publick as near as we can Recolect: he thank't the Gentlemen for the Polite Letter and treatment he Received The Copy of what you have Inclos'd, was last Evg sent to Messrs. Drapers to be put in to days Paper wh. Directions not to print any of the transactions, without they did the whole; if the[y] could not wt. propriety as being the Government's Printers to send it to the Patriots of Liberty Messs. Edes & Gill, for whom we have the greatest respect. The whole was Conducted to the General Satisfaction of the Publick.

And upon the Occasion we that Evg. had a very Genteel Supper provided to which we invited your very good friends Mr. S[amuel] A[dams] and E[des] & G[ill] and three or four others and spent the Evening in a very agreable manner Drinkg Healths etc.

DR. SIR, — I must desire you'd keep this a profound Secret and not to Let any Person see these Papers, and should be glad when

[1] December 16.

[2] Printed in the *Boston Post Boy and Advertiser*, December 23, 1765, and in other papers of the town.

you come to town youd bring them with you, as we have no other Coppys, and choose to keep them as Archives. We do every thing in order to keep this and the first Affair Private: and are not a little pleas'd to hear that McIntosh has the Credit of the whole Affair.

We Endeavour to keep up the Spirit which I think is as great as ever.

I give you joy in the Custom house being Opened, & hope soon to advise you of the Courts of justice doing the same, I am wh. my best wishes for you and Familys health and Happiness Your affe. friend

[Henry Bass.]

P. S. I have Recd. a Letter from Billey he Begs you'd send him down his Jackets and Breeches, as he Stands in great need of 'em. I should be glad you'd write me more perticular what Sort of Plank you want faiths tells me two Inch: Let me know in your next and about the Boards etc.

D. Ingraham, Junr. to Samuel P. Savage.

Boston, May 18th, 1776.

Dear Sir, — Yesterday Morning one of our Small Privateers Gave Chase to a Ship and follow'd her almost up to the Light House and Boarded her and to our Surprize she made no resistance, altho' our Vessell mounted but 4.2 Pounders and the Enemy had (6) 4 and 6 Pounders Loaded with Grape Shot. They brought her through Pulling Point Gut, and in Sight of 10 Sail of *Poltroons* unladed her in Part, and this Morning She is safe at Anchor off Hancocks Wharf. She is Part of Eleven Sail that saild from Ireland 34 Days ago, and lost the Fleet 8 Days Past, and expected to find the Troops here. Her Cargo is as follows 1500 Barrells (or 75 Tons) Gun Powder, 2500 Small Arms and Carbines, a few English Goods, a Large Quantity of Intrenching Tools, Gun Carriages and t'is said, 8 Brass Field Pieces, etc. etc. etc. The Sailors on Board say she has 10,000 Stand of Arms under the Powder. But I'm of opinion 'tis a mistake. Thus while we were humbling ourselves for our Sins, and beseeching the Pardon of them; and intreating the Assistance of Heaven, we receiv'd an answer, and to me a very Striking one. Excuse my Errors as I'm in haste and accept my best [wishes] for Self and family. I am, Sir, y. h. Serv't.

D. Ingraham, Jun.

No Troops had Sail'd from Ireland, but were to Sail in 14 Days, *all* for Quebec. A number of Papers and Letters were found on board.

JAMES PRESCOTT TO SAMUEL P. SAVAGE.

SUDBURY, 5 of May, 1777.

DEAR SIR, — I arived here Satterday Evening last. was Enoculated yesterday morning, tho not yet in the Hospetil. Mrs. Prescott and her little flock are in a hopefull way. after I arivd here, she shew me your kind letter of the 26 of Apriel and Informd. me of the present made her by your Self and Capt. Williams. with Gratitude she returns her Best Comple'ts to the Gen't for the respect shewn her. I also return my sincere thanks for the kindness shewn me and them, hope I shall have it in my power to make sutable returns. It may be some satisfaction to you and the Gen't of the Board [of War] to know how far we have proceeded in our Inquiry after Counterfit money and what turns up, not to mention the Examination had before I was at Boston last, as I gave you a short account of it then. my brother and I set out fryday evening from Boston, got home Satterday noon; late in the afternoon the Spies we had sent out returned, and gave such Information that we judged it Expediant to go to Shewsbury, accordingly we took Eight or ten men with us, Several of them my Deputys (for I made about ten for this speshal purpose) men that I Can trust, and set off monday Evening. got to Shewsbury Tusday morning little after son rise, took three or for into Custody, found Bad money, in perticuler four peices of money made in Imetation of moidors, very Bad. I suppose a number thereabouts Concerd. in the plan; wensday night the Justices adjornd. till moneday morning, and then we road home in the night. before I set out, sent one of my Deputies to Boston after one of Bushes Sons (at Bushes I found the Bad moidors) he found him in Boston, and took him, sercht him and found two more of them moidors, 4 Contenental 30 Dollar Counterfit Bills, Several Connec't and New Hamsheir Counterfit Bills, I hope there will be a strict Enquiry made in that Quarter. when we got home found a Gentn. from Exeter, Inquiring after Evidence etc against those they had taken; we assisted him in his Enquirys and made out very well; I hope those in that Quarter will be well securd. you will naturally Enquir what Evidence we have got. I answer In general, we have Evidence that there is grate Quantity of money Counterfited, that there is Silver and Gold Counterfit. I have got part of a set of tools for making hard money. one witness says he had of one who is now in goal a set of Stamps for half Joes, that the same man Bought them Back again for another man which we know, that some of their Clubs (for there is Numbers of small Clubs But a Communication from one to the

other through the whole, as they term it) have Drank Confution and Damnan. to Genl. Washington and army, and Suckses to How, that one or more of the Clue [crew] was Bieing Stores such as Sperits, Entrenching tools, Spades, Shovels, pick axes, etc. was askt what he ment by it. the answer was to store up against they made there Stand, for there would be none to be had then. what Do you mean by your Stand; was answered, God, you'l know before mid summer. that they had got so forward as to look out officers, that two men who are in custody were to take high command, Colls. at lest, that they had Communication into York, and had Inteligence Every month and said they would have in spite of us, and that by mid summer should see Hundreds Hung upon the Trees, etc. I have just given a hint of what opens in our Inquiry it would be two teadious to be perticuler. these are the plots I feard. were laying, and have mention'd my apprehentions, to some Gent. with a Degree of wormth, and have Ben answered you are frited, etc. (I am not frited) But I am concernd. for my Cuntry; I wish soon to see that Sperit of Slumber shook of which has too long prevaild. alredy and a Sperit of Viger and activity, universally take place. I think it is more then time, we should all up, and look about us, for I Verily beleve, (and am not frited neither) that within 2 or 3 months from this time, they had fully Determined to make their Stand, (as they Call it). one could hardly beleve how Deep they had laid this their Hellish plot. if so much lenity is to be shewn to that sort of people, (I mean Torys) as has been hitherto, I Bid adue to my beloved Cuntry, my Sperits rise with Indignation against the Doings of all such sons of Belial. Please to Present my Cordial Respects to the Honle. Gent. of the Boad of War. I am Sir most Respectfully your very Humle. Sert.

James Prescott.

N. B. pardon the Imperfect account I have given. feteage and want of rest has renderd me (at this time) Incapable of giveing a perfect account. there is some of the wicked people in Boston and Else where I beleve, tho I may not at this time mention them.

I hope you wont publickly Discover the foregoing letter as it is so very Imperfect.

J. P.[1]

I hope something will be done by the genl. Court before they rise in this matter by appointing a Com'tee of Safty with full (if not unlimited) power to take up Torys, serch for stores etc. etc. I should be Exceeding glad to see you as soon as posable, as there is Something of the Highest Consequence to Communicate to you.

THOMAS MARSHALL TO SAMUEL P. SAVAGE.

TICONDEROGA, June 17th. 1777.

DEAR SIR, — Yours of 9th. Inst. I Received per post and am very much obliged to you for the Trouble you was at in laying my Letter before the Honble. Court, and am much pleased that the Massachusetts Troops are soon like to be provided for. Have nothing Extraordinary to Inform you of at present as we Seem to be very uncertain ourselves, but the Currant Report is that the Enemy in Number about Six Thousand are at and nigh St. Johns, Last Thursday Two prisoners were brought in, the One a Soldier that was taken last Spring at Sabath day point, and had deserted from the Enemy, the other Man has a letter directed to Genl. Sullivan, Informing that the Enemy were Strong, by Sea and Land and were on a movement for Ticonderoga. the letter was not Subscribed but by Several Circumstances the writer would let the Genll. know him. but the writer was Suspected of being a Rogue and the Bearer a Spy and was accordingly Confined. the Troops here are in good Spirits and very healthy but are in want of many real necessarys (which according to your letter I hope they will soon be Supply'd with) the Number of Troops here now I Suppose to be about Four Thousand. we have for Several Mornings heard the Enemys morning Gun but Imagine it from a Galley that has layed this some time at Split Rock the Generalls here at present are St. Clair, Fermoy, Poor, and Patterson, & Genl. Schuyler is Expected here Immediately. Shall Endeavour to Inform you of any thing Interesting by Every Oppurtunity and beg you to do the Same and

Am Dear Sir yr. very humle. Sert.

THOMAS MARSHALL.

JOHN SCOLLAY TO SAMUEL P. SAVAGE.

BOSTON, July 9th. 1777.

MY DEAR FRIEND, — I could wish it was in my power to furnish Rum for the articles you mention. I hant one drop in my distill House but what belongs to the Board of Warr, I having supplyd several People from the Country with small quantities for their Labouring People, that I am afraid I shall be somewhat short in the Rum for the board. the Present is a verry Important Crisis various reports we have had from the Southward & Northwd. but the following may be depended on. the Jerseys is now Intirely quit of the Enemy it is thought their design is up the North River Genl. Putnam at Peeks Kill is five thousd. strong Genl. Washington gave out in orders the day the Express left Camp (which was six

or seven days since) for the whole Army to hold themselves in readiness to March supposed up No. River that before the Enemy left Amboy a severe Skirmish took place the whole Body of the Enemy came out Ld. Stirling was Orderd to Attack them not knowing there was so many and had it not been for the French Genl. De. Boree he would have been surrounded and taken the old Genl. supported him with great resolution with his Brigade. they were Obliged to retreat in which we lost three peices of Brass Cannon and about fifty killd. It is supposed the Enemy lost as many, as it was hot work while it lasted. Our men behaved with great Bravery. They Choose to face the Enemy in the field and not to have any Brest works for defence the above I heard the Express, Capt. Dimond Morton relate. we have late news from Ticonderoga. we have 4500 men in that garrison in good spirits and pretty well supplyd the Militia is Continually going up as reinforcements the Enemy have made an Appearance on the lake with two stout Ships and other Craft but they have secured them (after the Example of Adml. Graves) with Booms least our People should destroy them they seem to be in no fear of any Attack soon on the whole by what I can learn affairs in that Quarter wear rather a favourable Aspect. May God in his Infinite Goodness appear for his people and support and defend our rightious Cause. yesterday a Prize arrivd at Marblehd. taken by Capt. Oaks bound from Jamaica to London with 219 Hhds. Rum on board etc we are all well but want your Company among us give my kind regards to Mrs. Savage we all Join in respect to your self and your whole Fire Side. I am most affectionately your assured friend

JOHN SCOLLAY

before the Enemy left the Jerseys they destroyd sixty Houses and every thing they could lay their hands on the Inhabitants were so reduced that Genl. Washington was obliged to supply them with provision.

JOHN SCOLLAY TO SAMUEL P. SAVAGE.

BOSTON, July 12, 1777.

MY GOOD FRIEND, — Melancholy Tidings, however God Reigns, our Cause is Just and I trust we shall finally Prevail. yesterday an Express arrivd from a Frontier town in Hampshire State, with a Coppy of a Letter from Genl. Sinclair to a town in that State setting forth that (I think it was) the 7th. Instant they Quitted the fort and Lines at Tyconderoga that the Enemy Imediatly took possession, they Left all their Cannon and most all Military and

other Stores and fled for their Lives to a place calld Bennington in Hampshire State. there they Intend making a Stand how disreputable this Act to the Cause. the fault Layes somewhere and must be remidied if we dont put aside all party and selfish views and seek only the Common good we are a gone People. this Morning a Gentleman arrivd from Providence who saw Genl. Prescot of the Brittish Troops at Breakfast yesterday at Providence the way he was taken was thus, two Women came off from the Island gave an Accot. that Genl. Prescot kept at his Country House out of the town of Newpt. and but a Slender Guard. on this Intelligence 45 men set off from Providence at Midnight Surrounded his House took him his Aid de Camp and all his guards and brought them off to Providence where they now are. We are all well kind regards to Mrs. Savage and the Girls. I am your assured friend

JOHN SCOLLAY.

P. S. I wish you could send me a bag of Indn Meal.

SAMUEL A. OTIS TO SAMUEL P. SAVAGE.

WAR OFFICE, BOSTON July 14th. 1777.

SIR, — The Lighters and Galley are now loading suppose they will go hence tomorrow (Tuesday) Morning Tide, their Loading will be 80 Chests of Arms, Sugars, and dry Goods, Duck, Cordage etc. We mean to send nothing to Sudbury but Shott etc. that will bear the Weather, for which you may send to Boston 50 Carts or more if you please. The Galley and two Lighters will be at Waterton Wednesday or Thursday in Case of Accident will carry 40 or 50 Tons. Are satisfied their Contents should be stor'd at your discretion, at Weston, Concord or Sudbury. We are astonish'd at the Guardless Transportation of the Powder, in this and future matters you are vested with "*plenary powers.*"

Sad indeed is the disaster of poor Ty[conderoga], but so short and unexplicit the Accounts, no comment can be made at present, except in general, that as the Events of War are uncertain a steady Conduct and unruffled Mind in the Gales of Prosperity and Blast of Adversity become the Man and the Patriot. Our Mr. Brown has lately wrote you, which apprehends you have not receiv'd from your Silence upon the Subject.

Young Andrew Henshaw is applying for the Store-Keepers Birth etc if you find any necessary Employment, we recommend him to your Patronage, Who will call on you tomorrow.

We are Sir Your Most humble Serts. By order of the board,

SAM. A. OTIS P. *Pro Tem.*

John Scollay to Samuel P. Savage.

19th July 1777.

My dear Friend, — I Recd. yours of the 17th. I got the Articles ready you orderd but Mr. Russell tells me he cant Carry them not 'till he comes to town again. I allso recd. yours of Last Evening per Mr. Russell. News we have a great deal but verry Little that can be depended on, that Ticonderoga is taken and shamefully is a Melancholy truth such an Instance of misconduct in a General I believe scarcely ever was known. on Sight of the Enemy the generals left the Fort with most all the stores and fled for their Lives I do suppose without Issuing any regular orders to the Regmts. Colo. Marshall knew nothing of the affair he was quietly at rest in his bed was awkd by his Lieutt. Colo. and told that all the Regmts. but his had quitted the Fort. He mustered his men as quick as he could but was left in the rear of the Army and met with some loss from the Enemy, his Brother a Captain and his Nephew a Lieutt. two fine young fellows were killd or Missing the Colo. writes that the place was not deliverd up for want of Spirit in the men, but says no more. many People doubt the Truth of the Fox man of Warr being taken it was said at first that the news was brought by Capt. McNeil who was it was said damaged in an Engagement with a 40 gun Ship and arrivd at the Eastwd. to repair but no Express has ever come from him nor no Letter to any one it is verry strange that he should lay in port twelve or fourteen days & not write to the Court nor any of the agents nor the bd. of War. if he was there so many things of the greatest consequence as he must be Charged with he would certainly have communicated them as above we have had a report that the Fox was retaken by a 64 and Carried into Halifax perhaps there is nothing of truth in the whole of the Story. we have an Acct. of the Bravery of a Colo. Brewer who after the retreat of our People at Ty. took possession of an old Fort near Wood Creek calld fort Ann built by Genl. Nicholson in 1711 He was there attackd by 1500 of the Enemy he with his men sustaind the Attack and made most dreadful Slaughter among them. thus farr is no doubt true it is said and by some that were in the fort that the Enemy Left four hundred and five dead on the Spot how many wounded is not said but it must be much more than the dead the Certainty of the Numbers will be known perhaps by the post this day. it is said that Genl. Putnam is orderd up to Albany. I wish he had had the Command a Month ago. no Certain Accts. where How is bound. it is thought up the No. River. He goes to his destruction if he goes there. your observation on my Wifes

conduct is verry Just a good deal must be Imputed to Indisposition However she is too Apt to put Comfort from Her I often Chide her for it and sometimes I am Sorry that I do because it gives her uneasiness. My dear friend we live in tumultuous times. if we have hope through free Sovereign Grace in Gods Covent. and promises what reason have we to be contented with our Lot be it ever so distressing. as to my self I can say that all my Hopes are founded on the Sovereign Grace of God Manifested in the Glorious Gospel of his dear Son the Clearer views I have of my Interest herein the greater is the peace and Tranquility I enjoy Indeed there is no stable Tranquility any where else. I dont know how you find it but I can say of myself that I am prone to depart from God I find my Soul Cleave to the dust was it not for this Gracious Covenant I could have no hope. this Letter is wrote with great haste you will Excuse the Inchoherance of it my kind respects to all yours

I am your assured friend

JOHN SCOLLAY.

P. S. you will if you please burn this Scrawl, but I shant burn your Judicious Letter. J. S.

JOHN SCOLLAY TO SAMUEL P. SAVAGE.

BOSTON, July 25th 1777.

MY DEAR FRIEND, — I recd. yours per Mr. Greaves and have per him sent the Bbl. and Keg of Rum the Sugar and Candles. as Mrs. Melvill will be in town this day we did not send her Trunk. as to news the following is what is the latest. Capt. Manly it is said is arrivd at the Eastwd. Several prizes have arrivd at the Outports. two Valuable prizes are brought in here by a small fishing Vessell with two Swivells and Sixteen men Capt. Fisk from France arrivd yesterday a French officer of Eminence came in him no news has Transpired Capt. Harriden is not taken he was Chased by the Fodryont threw over his guns and got from him into Bilboa; no Late news from the Westwd. yesterday we had a high Scene in this town. In the Morning a Number of Women waited on Mr. Boylston they told him that they kept little Shops to sell Necessarys for Poor People they understood that he had Coffee to sell and if he would sell it at a reasonable price they would take it of him he gave them a verry short answer and they Left him. about 3 oClock in the afternoon a Number of Women mostly from the North part of the town assembled under the direction of

one Mrs. Colter they were not your Maggys but reputable clean drest Women some of them with silk gownes on they went to Boylstons Warehouse where they found him they Insisted on having his Coffee at their price. He refused they without Ceremony put him into a Cart they having one at hand and drove him some way up the Wharf he found it Impossible to withstand gave them his Keys they took one Cask and Carried it off Intending to pay him for it. Poor Boylston was never so Swetted since he was born he was verry roughly handled I am sorry for the Occasion but I cant say I am sorry that he has met with a rebuff. We had yesterday a Legal town Meeting the town agreed to raise by Subscription £8000.0 La. Money to put into the hands of a Committee to purchase articles for the Inhabitants to deliver them to the Hucksters at the price they cost they to sell them to the Inhabitants at a Moderate proffit I hope this method will be of Service my kind respects to Mrs. Savage I am with great regard your assured friend

JOHN SCOLLAY.

JOHN SCOLLAY TO SAMUEL P. SAVAGE.

Monday Morning, [July, 1777.]

MY DEAR FRIEND, — I recd. your Billet by an Officer he desired me to enquire if Mr. Austin had wrote or sent to you Mr. Austin says he sent an express to you yesterday. you may rest assured that Ticondo. has been shamefully evacuated by our People and is now in the hands of the Enemy. I had rather have heard that one half of them had been cut to pieces in its defence. however, we live in a Checquered State. all things will end well to this People, is my full perswasion. yesterday we had Certain Intelligence from the Eastwd. that Capt. Manly and McNeal were arrived at Sheepscot with the Fox Brittish Frigate of 36 Guns they took her on the banks. she is a fine new Ship with a Copper Bottom Capt. McNeal was damaged in an Engagement with a 40 Gun Ship and was forced to stay to be repaird but Manly with the Fox under the Commd. of Capt. Waters are gone out on a Cruise they having mannd her out of Manly and McNeal with 100 men that enterd out of her my best respects to Mrs. Savage your friend etc.

J. SCOLLAY.

yesterday two Expresses arrivd advising that the Enemy at New York had embarqued on board their Transports and had all fell down to the hook for sailing they cant tell where but they are not going up the North River it is not unlikely that they are bound

this way this advice is sent that we may be prepared for them what method will be gone into I know not but I think we all ought to rise as one man to oppose them even to the death. yours as above

J. SCOLLAY.

JOHN SCOLLAY TO SAMUEL P. SAVAGE.

BOSTON, 2d Augt. 1777.

MY DEAR FRIEND, — The Rumour that we had yesterday proves to be a rumour Indeed the Council yesterday Sent an express to Cape Ann who returnd this Morning Colo. Warner who Sent the first express writes that no fleet had as yet appeard that the Information he had was wrong the Person he believes took the Looming of the Isle shoals for a Fleet however be it as it may it will I dont doubt have a good Effect to rouse us to prepare for an Attack. Manly is without doubt taken and Carried into Halifax but he did not Surrender his Ship till she was torn to pieces by his Opponant who was a 44 Gun Ship. this Morning we have news from Peeks Kill that Genl. Washington was moving towards Phila. I have Sent up some trunks have agreed with Mr. Parks for 2/6 per Mile pray Send down my Chaise by the first Cart that comes I shall want it much for my family I can get it mended better in Boston than in the Country I suppose it can come with Safety at the tail of a Cart. my kind respects to Mrs. Savage give my Love to Betsy Mr. Lowell is well as are the Children. your Friend etc.

J. SCOLLAY.

I have sent Six trunks 1 Bed & Bed Stead 2 Carpets.

Tell Mrs. Lowell to make her mind easy about her family as good Care will be taken by her Mother as tho she was here if she Chooses it Polly Vert will come up when Mr. Lowell comes & they will bring Michael with them. youl pay Mr. Parks.

JOHN SCOLLAY TO SAMUEL P. SAVAGE.

BOSTON, Saturday 13th Septr. /77

MY VERRY DR. FRIEND, — I recd. yours per Mr. Russell. We were apprehensive that as you had not made your appearance that you were Indisposed I am glad you are on the mending hand. Afflictive dispensations are part of gods Covenant with his People. our Interest in this Covenant Insures to us such Blessings that (at least) we ought quietly to Submit to whatever God may deal out to us. this is a doctrine my dear friend that I ought to Inculcate on my Self I am Sure I have reason in Consideration of what the

Blessed God has done for me & in me a poor Sinful unworthy Creature to be Contented yea to rejoice in my Lot be it what it may. a Holy Submission to the Will of God in doing and in Suffering is not only our duty but our greatest Felicity a Felicity which God Grant that you (my dr. friend) and I may be blessed with. I am sorry Mrs. Savage is unwell pray God restore her to health. Yesterday Genl. Palmer Returned from Albany gives the following Accot. that Genl. Gates has with him 9000 men Lincoln about 6000 Staarks 1000, that He has orderd Lincoln to fetch a Compass on one wing of Burgoine who I think is at Saratoga strongly [in]trenched Arnold with another party to fetch a Compass [on] the other Wing so as to meet in his rear Staarks with 1000 men and some rifle men to penetrate the Woods and Clear the way Gates to advance in front this Expedition was to Commence last Sabbath I Learn that Gates is determind to give him Battle. this Morning Genl. Spencers aid der Camp came to town and says two gentlemen were arrivd where he came from from Philadelphia and says that How and Washington are Encampd near Elk River, Maryland, on a large Hill of some miles long calld Iron Hill, that in a Skirmish our people took from the Enemy 180 Light Horse and 100 Light Infantry. the pressent is an Important Crisis every Hour may produce Important events the preservation of Civil and Religious Liberty is Suspended on it. I trust God's People are Importunate at the Throne of Grace at this Season for our Bleeding Country. however I dont doubt but all will Issue in our Common Good. my Wife and daughters Join in the most Cordial Respects to Mrs. Savage and Family I am Dr. Sr. your affectionate Friend,

J. Scollay.

John Scollay to Samuel P. Savage.

My verry dr. Friend, — I have per Miss Lucy sent your Shoes. I do Suppose you'l be glad to know what is going among us. a Privateer belonging to Colo. Sears arrived yesterday after a Cruise of thirty three days, has taken four Valuable prizes two are arrivd, one is now arriving in the other not arrived. the more we hear of the Important affair at Brandy wine hill, the more Interesting it appears it has been to the Enemy another Bunker Hill Battle a few more such would ruin them, our Loss is great from 500 to a thousand Killd & wounded the Enemys from 1500 to Twenty five hundd these accounts they have at head Quarters by Surgeons who were Calld in to Assist the Enemys Surgeons, so great was their Loss and the distress they were in that although they had got possession of the ground they did not Stir for two or three days

not so much as to Send out a Scout. I do beleive it has been a Stunning blow to our Enemys. the last Accots. are that Genl. Washington has passd the Schuylkill, is Collecting his Troops, and is determined to give Howe Battle How Important the Event of this to the Liberties of America I trust that Gods People are beseiging the Throne of Grace for their Bleeding Country I trust that God will give us deliverance. Yesterday we had an Acct. from the Western Countrys that Last Saturday a heavy Cannonading was heard it is Supposed that Genl. Gates and Burgoine were then Engaged we have an Acct. this day that gains Credit that Tyconderoga is taken by the N. Hampshire men I was talking with Col. Walker about it he beleives it is True this being the Case I think Burgoine must give way. the Accts. of this Matter are verry particular which makes it beleived. I pray God to prepare us for his holy Will Subjection hereto is not only our duty but our Felicity. we all join in respects to Mrs. Savage I am most Sincerely yours most Affectionately

J. SCOLLAY.

Septr. 25th, 1777

JOHN SCOLLAY TO SAMUEL P. SAVAGE.

BOSTON, Apr. 20th. 1778.

MY VERRY DEAR FRIEND, — I duly recd. your kind Letter dated Friday Evening am sorry your health is not mended by being at Home and retired from the Hurry of business. I believe that nothing will help you more than a quiet Composure of mind, for I am perswaded that there is the Origin of your Malady, for this you have a remedy at hand; Live in the Contemplation of the Power and Goodness of God. Look unto him thro' Jesus Christ as your Covenant God and Father, that all his dealings with you are in Covenant Love and faithfulness, this is your Privilege this is your duty. O my friend I find in myself a dead Barren heart, dead to every thing that is divine, attached to the World and the things of it, but Blessed be God for the Salvation that is in Christ Jesus here is my only hope and Confidence. yesterday the Anniversary of the Memorable 19th. of Aprill. Mr. Dean, Brother to our Agent at the Court of France arrivd in Town with dispatches for Congress. he brought Letters from Mr. Franklyn to Several Gentlemen in Town. Mr. Jeffries and Mr. Eckly spent the Last Evening with me they saw a Letter to Mr. Cushing the Substance of which was that France and Spain had acknowledgd to American Colonies to be Free and Independant States, that a Number of Merchant Ships were about

Sailing with Large quantitys of goods particulerly Large Supplies for our Army (Mr. Dean says they were Saild) escorted by four Sixty Gun Ships that his most Christian Majesty had come into a Treaty with our agents to support us against our Enemys that He requires nothing from us but a free Trade for his Subjects. Mr. Dean came to Town from Casco Bay where he arrivd a few days past in a French Frigate after 36 days passage. Mr. Franklin mentions that the Brittish minister had brought into Parliamt. two Bills purporting an Accomodation with us but speaks of them as Evasive and dont say what the fate of them was. Mr. Dean says that they had in France an Accot. from Brittain that Lord North had declared in Parliament that he had been wrong through false Information respecting America, that he had proposed a Bill for an Accommodation that it was brought into parliamt. that a Long debate was held on it that finally it was carried by a Large Majority, the Substance of the Bill that Six Gentlemen should be appointed as Commissioners who should Imediately repair to America and Treat with Congress on the Subject of peace that the Gentlemen for this Service were apointed this my friend is great and good news, big with Important Circumstances, to a verry Sinful and degenerate People may every Heart be penetrated with a Sense of the goodness of God herein, and may we become a penitent and reformed People. I hope that every One will stand forth as he is Calld and help on the work of reformation for we cant expect to be a happy untill we are a reformed People.

Major Pollard and Mr. Barrat are returned from Newport wither they went with Burgoine I am informed that they were verry Genteely and kindly entertaind that Burgoine fulfilld all his Engagements to an Iota. they have brought as I hear thirty thousd. pounds Sterling in Cash and the provisions stipulated is Landed on the Continent and a Commissioner comeing to Boston with it. youl Excuse the Incorrectness of this Long Epistle I will Endeavor to do your message to Capt. Phillips and Capt. Williams [we] are all well, my good womans Long face is a good [deal] diminished. give my kind respects to Mrs. Savage

I am most Sincerely and Affectionately yours etc.

J. Scollay.

P. S. my Wife is very Anxious about your health she thinks as I do that you will be better in Boston attending on the business of the board than in the Country. I dont doubt that Mrs. Savage will dispence with this to preserve your health, a Little Excursion Home now and then would be Exhilirating. We will do all we can to make you Easy and Comfortable.

BRIGADIER GENERAL HENRY KNOX TO SAMUEL P. SAVAGE.

QUARTERS OF THE ARTILLERY, 17th April 1779.

SIR, — I received your favor of the 18th. ultimo, respecting your son[1] who is at present in Colonel Greatons regiment being introduced into Colo. Cranes batallion of Artillery.

I have not the least objection on my part and as it is also agreable to the Colonel it remains only that he sends me a recommend for that purpose which I will countersign and forward to the board of War who will Isue a Commission accordingly. I dont know the present rank of the Young Gentleman but it would be but fair to apprize him that such is the arrangement of the Artillery that no person can enter any of the batallions without entering as the youngest Lieutenant in it. The Young Gentleman understanding and agreeing to this may join any Company Colo. Crane shall direct as soon as the Colonel signs and forwards the recommend to me.

I am happy Sir in having it in my power to do you this small service and shall be more happy in further opportunities of the like or any other kind.

I am Sir with respect Your most obedient Humble Servant

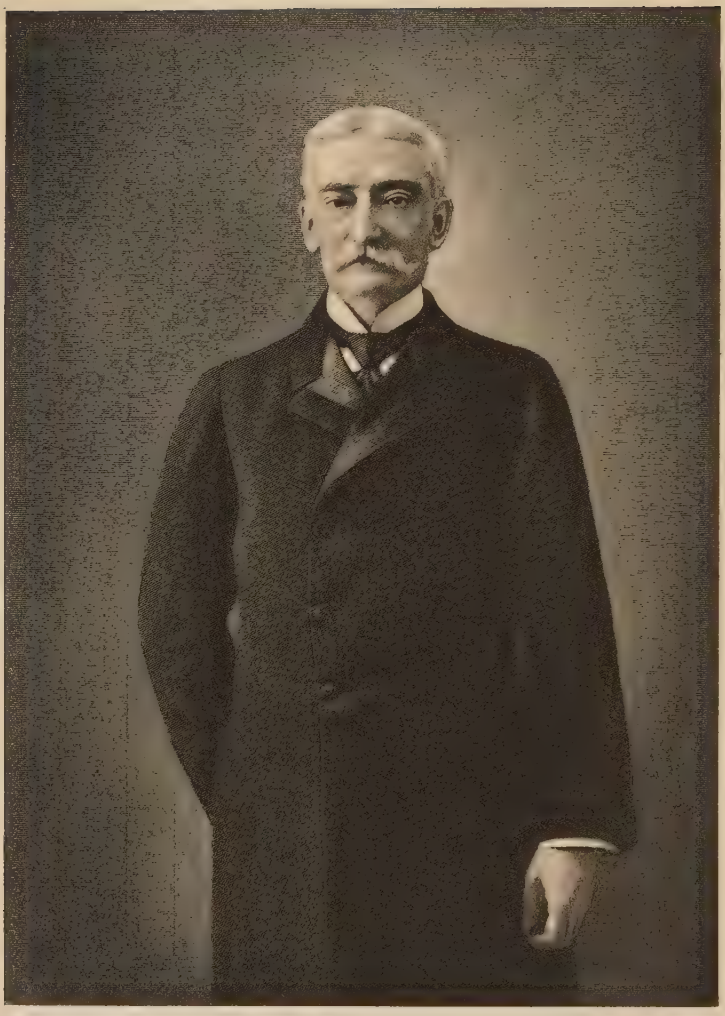
H. KNOX.

The seventh volume of the seventh series of the Collections, being the first volume of the Diary of Cotton Mather, was reported as ready for distribution.

Remarks were made during the meeting by the PRESIDENT and Messrs. STOREY, WEEDEN, SANBORN, BIGELOW, LONG, T. L. LIVERMORE and RAND.

After the adjournment of the Society the members present at the meeting and a large number of invited guests were entertained in the Ellis Hall by the President.

[1] Henry Savage.



John Latham

MEMOIR

OF

JOHN LATHROP

By ARNOLD A. RAND

Springing from such an ancestry and educated amidst stimulating and refining influences, it is not surprising that John Lathrop, Student, Advocate, Soldier and Judge, exemplified those sterling qualities which marked his early life and developed in him that sturdiness of character, that quiet, effective demeanor, that bravery in thought and act, that keen sense of justice, leaning always toward the side of mercy where right was not invaded, that marked a life of mental activity and decisive action combined with courteous demeanor and unfailing resolve.

John Lathrop was born at Boston, February 8, 1835, the son of Reverend John P. Lathrop, an Episcopal clergyman and a Chaplain in the United States Navy, and traced his descent from the early puritans.

Reverend John Lothrop, his first American ancestor, was a Nonconformist minister in England, and after imprisonment by Archbishop Laud for keeping a Conventicle, he came to America in 1634 and became the first minister at both Scituate and Barnstable.

Reverend John Lathrop, the great-grandfather of Judge Lathrop, was pastor of the Second Church in Boston for forty-eight years. His son graduated at Harvard in 1789 and was known as a teacher, a poet and a lawyer.

The boy life of Judge Lathrop was marked by studious habit, easy acquisition and a reserve in manner which indicated energy and directness to be availed of whenever occasion should demand. He fitted for college in the public schools

at Dedham, where his family were then living, graduated at Burlington College, New Jersey, in 1853, and three years later took the degree of A.M. His college course gave promise of greater development, and when his choice of profession was made, he entered the Harvard Law School, graduating in 1855, and afterwards studied law in the office of the late Hon. Charles G. Loring, then one of the most eminent lawyers in Boston. He was admitted to the Massachusetts bar in 1856, and speedily took position as astute counsel with a mind well equipped to follow the specialty of practice to which he devoted himself.

In the midst of high hopes for usefulness came the call to arms for the suppression of rebellion and the maintenance of the Union. Without hesitation he volunteered and was commissioned First Lieutenant in the 35th Massachusetts Infantry, being speedily promoted to a Captaincy in the regiment which was from its first appearance in the field thrown into active service at the front, received its baptism of fire at South Mountain and established its position as a fighting regiment at Antietam and Fredericksburg.

Of Captain Lathrop it may be said that he was a true soldier, watchful, faithful, ever ready for duty, however arduous or dangerous, possessed of good judgment, courageous and persistent in battle, quick to respond to every demand and ever present with his command ready for duty. When, in the fall of 1863, malarial fever rendered him unfit for further service, with broken health he returned to Boston and took up anew his law practice, devoting himself to admiralty cases. In 1874 he was admitted to the bar of the Supreme Court of the United States.

In this branch of the law he achieved such distinction that it was a surprise when following his inclination he accepted in March, 1874, the appointment of Reporter of Decisions and for fourteen years devoted himself to absolutely congenial work, winning the appreciation of bench and bar. The headnotes of the Massachusetts Reports from Volume CXV (in 1874) to Volume CXLV (in 1888) are models of clearness and concentration.

Appointed a Justice of the Superior Court in 1888, he won for himself distinction for sound law in decisions and the grati-

tude of many a witness through his maintenance of absolute fairness and consideration in examination.

His elevation to the Supreme Bench in 1891 brought general satisfaction to the bar, and his welcome by his associates was cordial and enthusiastic. He resigned from the bench, on account of ill health, in 1906.

The dignity of the bench has seldom been better maintained, and the opinions delivered take high rank in the jurisprudence of the State.

While Reporter for the Court, he was for two years a lecturer in the Harvard Law School, and at two different periods a lecturer in the Law School of Boston University. In 1906 he received the honorary degree of LL.D. from Williams College. He was elected a member of this Society in December, 1905. Though he was a frequent writer on professional topics, he made no contributions to our printed *Proceedings*, and, owing to the increasing infirmities of age, he was an irregular attendant at the monthly meetings. Judge Lathrop was also a member of the Loyal Legion, of the Military Historical Society, of the Union Club, of which he was President for two years, of the St. Botolph Club, of which he was Vice-President for seven years, and of other organizations. He was married in June, 1875, to Eliza Davis Parker, daughter of Richard Green Parker, a well-remembered teacher in Boston, and author of numerous school books. Mrs. Lathrop died in Boston, in July, 1903. They had no children, but their marriage was a very happy one.

Judge Lathrop died of pneumonia, August 24, 1910, at Dedham, where he had passed the summer during the later years of his life.

In his retirement he lived among the books he loved so well, and a peaceful death ended a life of achievement and honor.

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